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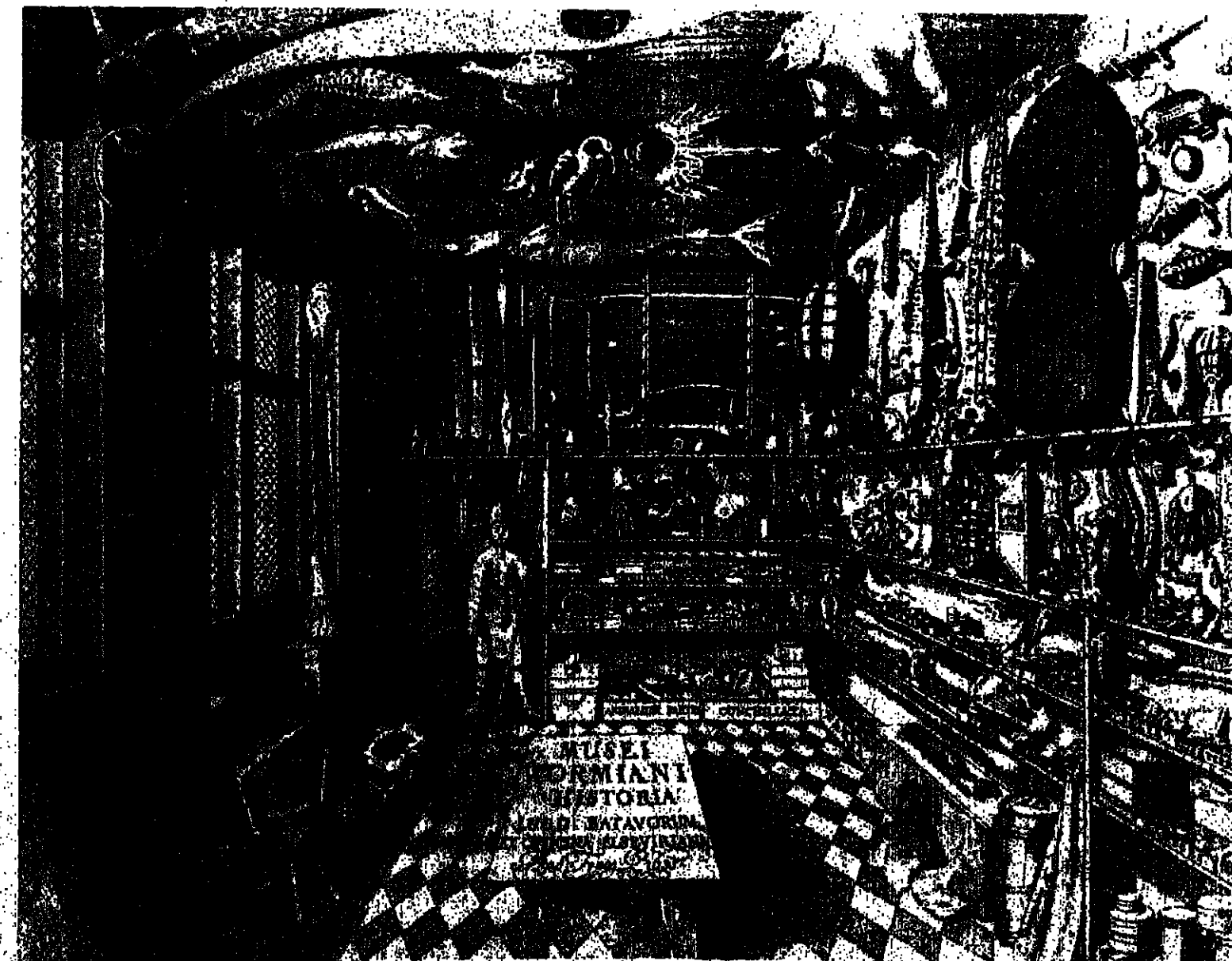
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The Times Literary Supplement

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Cover picture

An engraving of the interior of Worm's Museum in Copenhagen. Originally included in O. Worm's *Museum Wormianum*, 1655, it is reproduced here from *The Origins of Museums* by Oliver Impey and Arthur MacGregor, which is reviewed on page 808.

Scottish contradictions

Douglas Dunn

J. De LANCEY FERGUSON (Editor)
The Letters of Robert Burns
 Second Edition, edited by G. Ross Roy
 Volume 1, 1780-1789
 493pp. 0 19912478 3
 Volume 2, 1790-1796
 521pp. 0 19 812321 3
 Oxford University Press. £45 each.

It is two hundred years since Robert Burns's *Poems, Chiefly in the Scottish Dialect* appeared in Kilmarnock in July, 1786, in an edition of 612 copies, about half of which were subscribed in advance. News of their excellence and novelty soon reached Edinburgh, where it was expedient for Burns to go. A week after Henry Mackenzie's review in *The Lounger*, in December 1786, subscription notices were issued for a second edition which appeared in Edinburgh the following April. Another edition appeared in London in October, 1787. By then there had been set in motion a celebrity which travelled far beyond Scotland.

Yet as recently as 1972, an American critic, Raymond Bantman, found it necessary to deplore the neglect of Burns's poetry 'in current scholarship of British literature'. 'British' is not as controversial a term for Mr Bantman as it might be for Scottish, English, Irish or Welsh writers; but in the context of Robert Burns and his poetry, it is controversial enough. In any case, Bantman's purpose is to assert Burns as one of 'the great innovators of British poetry' and so 'British' is, for him, a cipher which can do without the niceties through which nationality is appreciated. He claims that Burns is 'a transition poet', one who gained from Pope, Gray, Shenstone and Goldsmith, and whose poetry is the precursor of 'the fearless honesty of Byron, the perfect simplicity of Wordsworth, the sensuous passivity of Keats'.

If nothing else, Bantman's argument is preferable to the commonplace summary of Burns as a man's man, author of a lyric or two, a worthy libertarian, a bit of a devil with the ladies, but regrettably Scotch in diction and concerns, although, at midnight on Hogmanay, who cares if we don't understand what we're singing. Bantman's case, that is, is a true one; it reminds literary historians of the mark Burns's poetry made, and now, apparently, ceases to make, although not, I should think, in Scotland itself.

Burns's achievement as a poet and lyricist

was tremendous and it was won at great cost. His letters - now re-edited admirably by G. Ross Roy - testify to intense insecurity on several levels and the cultural and personal struggles responsible for them. Naturally, in so amiable a writer as Burns, there are letters which testify to a character more flawed than legend would have us believe, or, at least, more human. Read for literary and biographical evidence, though, the experience is bruising, informative, and weirdly uplifting: it is a story of prodigious adversity, and those familiar with Burns's life will not need to be reminded of the sublime heights and sorry depths to which that story rises and falls along the outlines of its hero's character and circumstances.

Again and again, especially after the publication of *Poems*, Burns's letters are strewn with expressions of self-effacing modesty and statements of social boundaries as well as their equally self-conscious literary counterparts. From Edinburgh, in December 1786, he wrote to Gavin Hamilton, a lawyer in Ayrshire, and Burns's landlord at Mossiel in whose support Burns wrote 'Holy Willie's Prayer':

I am in a fair way of becoming as eminent as Thomas a Kempis or John Bunyan; and you may expect henceforth to see my birthday inserted among the wonderful events...

Yet this banter, including, with light-hearted satisfaction, the listing of magnates who, like the Earl of Glencairn, had taken Burns 'under their wing', winds down to the phrase 'the poor, unlucky devil of a poet'. Only a few days later, writing to John Ballantine, a banker in Ayr who had been equally supportive, Burns again lists proudly those who have favoured him with their attentions, and then he says,

I was, Sir, when I was first honoured with your notice, too obscure, now I tremble lest I should be ruined by being dragged too suddenly into the glare of polite & learned observation.

Vulnerable as Burns felt himself to be before the blandishments of association with Edinburgh's lionizing taste-makers, he knew his limelight was both controlled and temporary. As he wrote shortly afterwards:

I do not say this in the ridiculous idea of seeming self-abasement, and affected modesty. I have long studied myself, and I think I know pretty exactly what ground I occupy, both as a man, & a Poet; and however the world, or a friend, may sometimes differ from me in that particular, I stand for it, in silent resolve, with all the tenaciousness of Property - I am willing to believe that my abilities deserved a better fate than the veriest shades of life; but to be dragged forth, with all my imperfections on my head, to the

full glare of learned and polite observation, is what, I am afraid, I shall have bitter reason to repent.

These sentiments were addressed either to friends in Ayrshire, or, in the case of the letter quoted above, to an Edinburgh supporter Burns found particularly congenial. All of them were more favoured socially than Burns. Mindful of their encouragement, he is anxious not to let them forget his gratitude. Phrases are repeated again and again, giving the impression of a mind well made up and able to draw elegant thank-yous, disclaimers and arguments from stock. They are good phrases, candid and clear; a more complicated sentiment than honesty is, however, suggested by their frequent repetition.

Burns was well aware that a hospitable climate of opinion could turn hostile were he to ignore the conventions tying him to his station in life. Not just the high-born, but all comers, would have found scandal and absurdity in any opportunism or pretension. Socially, what his fame amounted to was not opportunities to take advantage of it, but a chance to run on the spot, as decorously as possible, in more comfortable surroundings than an Ayrshire field.

It is not exactly on the mark to believe that Burns 'accepts his limits' (as the late James Kinsey put it in his *British Academy Wharton Lecture* of 1974) when he describes his intentions in 'The Vision'. After a hard day's work, the poet drowns by his fireside and imagines himself visited by Coila, his local Muse. It is when she speaks that Burns can be misinterpreted as opting for the minor or the wilfully lowbrow, or regretting his remoteness from the styles of high culture:

'Thou canst not learn, nor can I show,
 To paint with Thomson's landscape-glow;
 Or wake the bosom-melting throe,
 With Shenstone's art;
 Or pour, with Gray, the moving flow,
 Warm on the heart.

'Yet all beneath th'unrival'd Rose,
 The lowly Daisy sweetly blows;
 Tho' large the forest's Monarch throws
 His army shade,
 Yet green the Juley Hawthorn grows,
 Adown the glade.

'Then never murmur nor repine;
 Strive in thy humble sphere to shine;
 And trust me, not Poet's mine,
 Nor King's regard,
 Can give a bliss o'ermatching mine,
 A rustic Bard.'

Crowned in holly as he is, and not in bay, Burns is yet far from accepting a mediocre or provin-

cial ambition. Instead, the poem expounds the dignity of who Burns is, and what he does, and it is an identity released in stately measure. 'The Vision' is a poem of self-definition, and of self-encouragement; Coila reassures the poet, drawing him away from doubts and despairs. She is native, local, rural and beautiful; her eye beams 'keen with Honor'. If anything, Burns seeks to dispel the limitations imposed on him by place, poverty, nationality, humble birth and disadvantage in general. He transforms them into the very stuff of his art, aware, perhaps, that what society might see as his novelty, was, in poetry itself, the material of a more profound and original distinction. There is even in the poem a note of a kind of interior democracy to explain and justify Burns the artist:

'To lower Orders are assign'd,
 The humbler ranks of Human-kind,
 The rustic Bard, the lab'ring Hind.
 The Artisan;
 All chuse, as various they're inclined,
 The various man.'

In 'Sketch', written in time to have been included in the Kilmarnock *Poems*, but not printed there, Burns addresses the Muse in a more vigorous and vernacular manner. It underlines the enterprise of 'The Vision', even if Burns's ostensible purpose is praise of Allan Ramsay:

Say, Lassie, why thy train among,
 While loud the trumps heroic clang,
 And sock and huskin skelp along
 To death or marriage;
 Scarce one has tried the Shepherd-sang
 But wi' miscarriage?

In Homer's craft Jock Milton thrives;
 They're no' Herd's ballads, Maro's entices;
 Squire Pope but buiks his skinklin patches
 O' Heathen tatters;
 I pass by hundreds, nameless wretches,
 That ape their betters.

Demotic humour in these stanzas is the playfulness of a poet conscious of writing deliberately beyond a predictable idiom: 'Jock Milton', 'Wee Pope' - let alone the cocky familiarity of 'Say, Lassie', an amusing inversion of the conventional 'Hail, Poetie!' with which the poem begins - are the touches of a proud prankster, their purpose serious and literary

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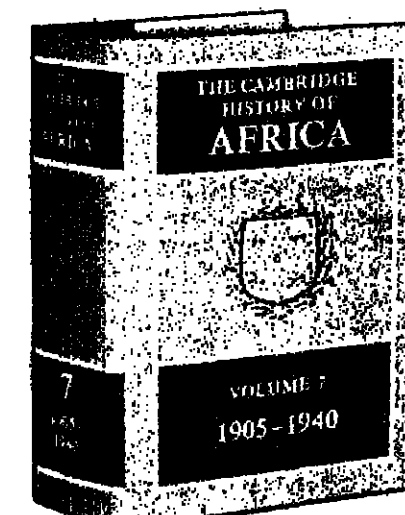
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for all their light-heartedness. When Burns is in this mood, the atmosphere is jaunty, the cheekiness such that a brazen daring is implied in his temerity to put pen to paper at all. There is built into the poetry a subtle defiance, imparted largely through the artistry of his verse. Those who have attempted to write in "Standard Habbie", Burns's characteristic verse, know the obstacles to be overcome before developing the sort of fluency that delivers a dimeter like "Horatian fame" so neatly into its place in the measure. Both the subject of the poem, and its treatment, could hardly be more literary. Here, though, the pen is an accessory of a farmer – not the crook, or other agricultural tools, the accessories of a pastoral poet.

Loyalty to place, origin and nation explain, at least in part, the nature of Burns's motivating energy as a poet. As early as 1785, in his commonplace book, Burns reveals an interest in Scottish song that is as scholarly as it is creative; he was conspiring with himself to make something of the melodic opportunities it offered him. More indigenous raw material for a poet can hardly be imagined. Apart from the intrinsic interest it held, Scottish song was also amenable to the full range of his mind, and it posed challenges to his already consummate technical gifts, as well as the urgency of rescuing a native cultural monument from mistreatment at the hands of tasteful, bawdierizers and inept enthusiasts.

In the 1790s, in his letters to George Thomson, the not always judicious editor of *A Select Collection of Original Scottish Airs*, Burns's erudition and commitment expose themselves as remarkable, the more so as the mass of work he took on board was, at the poet's request, without pay. "I call them Simple; you would pronounce them Silly", he retorted to Thomson's refined objections. "What pleases me as simple & naive, disgusts you as ludicrous & low." And, in the same defensive vein, both national and aesthetic,

let our National Music preserve its native features. – They are, I own, frequently wild, & unrefined to the more modern rules; but on that very eccentricity, perhaps, depends a great part of their effect.

Sir Walter Scott deplored what he considered Burns's distraction from a "grand plan of dramatic composition", which Burns's hefty labours on over three hundred songs left no time or energy to develop. But it is unlikely that he would have added much to verse drama when the genre was hardly flourishing anywhere else. More to be lamented than that Burns wrote no play is that, with the exception of "Tam o' Shanter", he never developed fully the lofty demotic of his epistles and addresses. Instead, he melodized a diction that in his earlier poems seems poised for a more ambitious poetry. No one would want to claim that as a loss when Burns's songs are there to compensate, their generosity of tune and feeling such that only Schubert's *Lieder* can compare with them.

Contradiction and ambivalence are in plentiful supply throughout Burns's letters and poetry, especially where class-consciousness encounters opportunity. His poetic gifts were implicated deeply in the first, and were also responsible for the chances that came his way. One effect of his letters is the feeling that if Burns knew that his literary strength, and their integrity, lay in his commitment to his place and people, then it created a destiny which he could never entirely fulfil. Society would not allow it, nor would he take all the decisions necessary to the ideal identity his poems proposed.

A natural desire to better his lot led him to court patronage, which was what was at stake during his long visit to Edinburgh. Subsidies and sheltered employments, however, were not on offer, and it might be an indication of Scotland's cultural backwardness in the late 1780s for Burns and others of his contemporaries to believe that they could be, in spite of the legal and university luminaries and their intellectual achievements.

To the Edinburgh banker, Patrick Miller, who mooted the suggestion that Burns consider taking the farm of Ellisland in Dumfriesshire, he wrote:

If therefore, Sir, you could fix me in any sequestered romantic spot . . . I might live in humble decency, and have a spare hour now and then to write out an idle rhyme or wait on you, my honored Benefactor.

with my grateful respects –

Miller, a director of the Bank of Scotland, and, in a beginning way, an experimenter in new farming methods, proposed his role not so much as the poet's benefactor, but merely as his landlord. Burns's deference is here almost heartbreaking, the more so as his courtesy and optimism were misplaced. It could be that at times he was not beyond being duped by his own pastoral persona.

If Burns could fall for his own fiction, he could also rage against the reality of which it was a part. "The trappings and luxuries of upper stations, I have seen a little of them in Edinburgh – I can live without them – I shall never blush for my own poverty, nor the poverty of my country." A month later, he wrote to the same correspondent, Mrs Dunlop:

Poets, much my superiors, have so flattered those who possessed the adventitious qualities of wealth and power that I am determined to flatter no created being, either in prose or verse, so help me God. – I set as little by Kings, lords, clergy, critics, &c. as all these respectable Gentry do by my Bardship. – I know what I may expect from the world, and by; illiberal abuse and perhaps contemptuous neglect; but I am resolved to study the sentiments of a very respectable Personage, Milton's Satan – "Hail horrors! hail, infernal world!"

But he was fully up to asking a favour from the powerful, and in language that, if not flattery, is at least tending towards it. In January 1788 he wrote to Robert Graham, the 12th Laird of Fintry, a Commissioner of the Scottish Board of Excise, whom he had met a few months earlier. His suggestion that Graham support an application for a post was far from unwelcome: Graham acted on it, and the Earl of Glencairn, to whom Burns also wrote, added his weight.

Once Burns was placed in the Excise, in Dumfries, those with an interest in his poetry and well-being suspected the suitability of the job. "The question is not what doors of fortune's palace shall we enter in, but what doors does she open for us?" Burns answered his friend, Margaret Chalmers, in February 1788. "I got this without any hanging on, or mortifying solicitation; it is immediate bread, and though poor in comparison of the last eighteen months of my existence, 'tis luxury in comparison of all my preceding life."

"I am a poor, damn'd rascally Gager, condemned to gallop at least 200 miles every week to inspect dirty Ponds & yeasty barrels", he wrote vigorously. "A wife and children are things which have a wonderful power in blunting these kinds of sensations", he pointed out to another who must have felt that Burns was out of place as an Exciseman. There seem to have been more than a few who felt that the Excise was beneath his dignity. "Another advantage I have in this business is, the knowledge it gives me of the various shades of Human Character; and consequently assisting me in my trade as a Poet." Who, before Burns, could see poetry as a "trade", and the Excise as a "profession", whether or not he was conscious of the irony?

Burns accepted the tenancy of Ellisland in March 1788, and by May 25th he was writing that he had given Jean Armour

legal title to the best blood in my body; and so farewell Rakery! To be serious, my worthy friend; I found I had a long and much loved fellow creature's happiness or misery among my hands; and tho' Pride & seeming Justice were murderous King's Advocates on one side, yet Humanity, Generosity and Forgiveness were such powerful such irresistible Counsel on the other side, that a Jury of old Enderments and new attachments brought in a unanimous verdict – NOT GUILTY!

Burns's erotic biography is as notorious as Byron's; it has become a stamping ground for prurience, boozing jocosity and moral censure. Like Burns the poet, or Burns the radical libertarian, it, too, has its fair share of contradictions. Somewhere in his letters, for example, he reports his distaste for a neighbour's "vicious and going beyond the bounds of decency, and yet he wrote in this manner to his friend Robert Ainslie, in March 1788, before he changed his mind and married Jean Armour:

I have been through more tribulation and under much buffeting of the Wicked One since I came to this country. Jean I found banished, like a martyr – forlorn, desolate and friendless; All for the good old cause; I have repented her to her fate, and I have repented her to her mother.

At this point the letter becomes controversial. No manuscript now exists, and much of the text relies on *The Merry Muses*. All Professor Roy is prepared to admit is that it "may have been" an obscene letter purchased in the 1820s by an Edinburgh bookseller, used as proof in testing the forgery of others, and then burnt.

I have reconciled her to her mother. I have taken her a room. I have taken her to my arms. I have given her a mahogany bed. I have given her a guinea, and I have f—d her till she rejoiced with joy unspeakable and full of glory. But, as I always am on every occasion, I have been prudent and cautious to an astonishing degree. I swore her privately and solemnly never to attempt any claim on me as a husband, even though anybody should persuade her she had such a claim (which she had not), neither during my life nor after my death. She did all this like a good girl, and I took the opportunity of some dry horse litter, and gave her such a thundering scald that electrified the very marrow of her bones. Oh, what a peacemaker is a guid weel-willy p—! It is the mediator, the guarantee, the umpire, the bond of union, the solemn league and covenant, the plenipotentiary, the Aaron's rod, the Jacob's staff, the prophet Elihu's pot of oil, the Ahasuerus' Sceptre, the sword of mercy, the philosopher's stone, the Tree of Life between Man and Woman.

On the day this letter was allegedly written – and we must suspect the date – Armour was delivered of twins who died ten days later on March 13.



Burns's letters reveal contrasts between tender feelings, realism, and vulgarity. His love poetry follows the same pattern of contrasts. "Mary Morison" and "John Anderson", for example, blending the first two into brief, memorable, lyric fictions. A song like "O Saw Ye Bonnie Lesley" idealized a real but presumably unobtainable young woman outside his class; friendship gave him the licence, as it were, to people the landscape of Dumfriesshire with the idealized loveliness of local beauties. Ironically enough, one of the greatest of love's lyricists said of his marriage that it "was not in consequence of the attachment of romance perhaps". In all likelihood, that was impossible. "Circumstanced as I am, I could never have got a female Partner for life who could have entered into my favourite studies."

The ins and outs of Burns's political convictions are as controversial as the contrasts between his tender and coarse eroticism. A song like "The Dumfries Volunteers" fits snugly into Unionist interpretations of Burns as a true North Briton of his time. The undated poem "A Ballad" might even be read as denouncing public affairs as less important than fornication. Jacobite songs complicate the issue further; but the mainspring here is Scottish patriotism. No sooner, though, is Jacobitism mentioned, than a reader must also notice anti-Jacobite feelings, as in the song, "Jacobites by Name". His position was more fastidious, or he could make it seem so. In a letter to the *Edinburgh Evening Courant*, he admires the House of Hanover, and defends the House of Stuart. "Alas! have I often said to myself," he wrote to Mrs Dunlop, "what are all the boasted advantages which my country reaps from a certain Union, that can counterbalance the annihilation of her Independence, & even her very Name!" And, in an earlier letter to Mrs Dunlop, he wrote:

It is not remarkable, not very remarkable, that the manners are more civilized, & the rights of mankind better understood, by an Augustan Century's improvement, yet in this very year, an empire beyond the Atlantic has had its REVOLUTION too, & for the very same maladministration & legislative mismanagement in the illustrious & sapientest Family of H— as was complained of in the "tyrannical & bloody house of STUART."

Towards the end of 1792, he reported to Mrs Dunlop:

We, in this country, here have many alarms of the Reform, or rather the Republican spirit, of your part of the Kingdom. – Indeed, we are a good deal in commotion ourselves, & in our Theatre here, "God Save the King" has met with some groans and hisses, while Ca ira has been repeatedly called for. – For me, I am a Placeman, you know; a very humble one indeed, Heaven knows, but still so much as to gage me from joining in the cry. – What my private sentiments are, you will find out without an Interpreter. –

Less than a month later, he was compelled to write to Graham, complaining at an investigation into his "political conduct", defending his job, his family's prospects, and blaming the accusations against him on "hellish, groundless Envy".

the allegation, whatever villain has made it, is a LIE! To the British Constitution, on Revolution principles, next after my God, I am most devoutly attached! . . .

But the movement of his letter to Mrs Dunlop only a month before, while leaving room for ambiguity, suggests that Burns's "private sentiments" at least tended to republicanism. To have committed himself to a movement that saw its course in insurrection, although with far fewer adherents than in Ireland, would have been to risk ruin, to put it mildly. More than promotion prospects were at stake. By early 1793, the Crown's law officers were rooting out Scottish candidates for trial on charges of sedition, and the sentences were not light. He elaborated his political position to Graham:

As to REFORM PRINCIPLES, I look upon the British Constitution, as settled at the Revolution, to be the most glorious Constitution on earth, or that perhaps the wit of man can frame; at the same time, I think, & you know what High and distinguished Characters have for some time thought so, that we have a good deal deviated from the original principles of that Constitution; particularly, that an alarming System of Corruption has pervaded the connection between the Executive Power and the House of Commons – This is the Truth, the Whole truth, of my Reform opinions; opinions which, before I was aware of the completion of these innovating times, I too unguardedly (now I see it) sported with; but henceforth I seal my lips . . . As to France, I was her enthusiastic votary in the beginning of the business. – When she came to show her old avidity for conquest, in annexing Savoy, &c. to her dominions, & invading the rights of Holland, I altered my sentiments.

Burns ends the letter by applying for a promotion, an opening made possible by its incumbent's illness. A reminder was sent to Graham two days later.

Clearly, Burns changed his mind about the "Republican spirit" (or said he did) at a time between his letter to Mrs Dunlop and the moment soon after when the news reached him that jealous, malicious or concerned citizens in Dumfries were urging on his employers that his political soundness be examined. How this reflects on Burns depends largely on your politics, and also what you think of beggary as a consequence of declarations made in a political cause that had as much chance of succeeding in the Scotland of the time as the Nith has of flowing uphill. Another tack might be to consider that Burns was not incapable of asserting one view to Graham, recanting, indeed, while leaving space for permissible political objections, but keeping his real convictions private.

The truth lies probably in confusion and anxiety created in the sadness of liberty cramped by commonplace imperatives such as those of earning a living. Burns compromised the vigour of his egalitarian beliefs in order to assure his future and that of his family. There was little he could do about his own future – his death lay just around the corner. Yet he might have been satisfied with the futures of his progeny. Two of his sons rose to the rank of colonel in the Indian Army, and another studied at both the universities of Glasgow and Edinburgh before following a distinguished career in the Civil Service. It is a curiously British ending to a story that is peculiarly Scottish in its struggles and contradictions.

The plundering of nationhood

Robert Browning

On March 12, 1921, a treaty was signed in Riga ending two years of war between Russia and Poland and establishing the frontier between the two countries that remained unchanged until the Second World War. A clause of the treaty stipulated that all works of art removed by the Russians since the first Partition of Poland in 1772 should be returned to Poland without compensation. This agreement gave formal recognition to two principles, first, that "works of art", however they are defined, may be subject to different rules from other kinds of property, and second, that removal of such objects, even under the authority of what was at the time a legitimate government, may not give the new owners good title.

These principles, and the concepts which underlay them, were not new. The view that works of art could not be acquired by right of conquest was already embodied in a number of European treaties from the seventeenth century onwards, including the Treaty of Utrecht of 1713 (which gave Gibraltar to Britain), the Hague Convention of 1907 and the Treaties of Versailles and Saint-Germain, which regulated the status of Germany and Austria after the First World War. It is often implied that the concept of "cultural property" is one developed by "losers" in the hope of recouping some at least of their losses. It is therefore worth noting that the treaties in question were negotiated by victors from positions of great strength.

The years since the Second World War have seen massive decolonization and the emergence to statehood of nations and territories formerly under foreign dominion or overwhelming foreign influence. It is hardly surprising that claims for the return of objects to their place of origin have taken on a new urgency, and that the concept of cultural property has become more widely familiar. This has sometimes resulted in a lamentable lack of precision in its use. But it has also led to serious efforts by statesmen, lawyers and journalists, as well as by international bodies, to arrive at clear and practical definitions and sensible rules for their application. In 1982 the Lebanese writer Salah Stétié, at that time Chairman of the Intergovernmental Committee for the Return or Restitution of Cultural Property, set up in 1978 by the Twentieth General Congress of Unesco, wrote that the concept applied to objects "so heavily charged with cultural or national significance that their removal from their culture of origin left that culture shorn of one of its dimensions and diminished in the eyes of its own creators" through loss of an essential link, and went on to speak of "privation d'un avoir qui est une privation d'être". M Stétié was thinking in the first place of the situation of former colonies *vis-à-vis* their erstwhile imperial masters. The writer of the leading article in *The Times* of October 8, 1984, had in mind rather the increasing sale of works of art by British owners to foreign buyers when he wrote, "A new and stricter classification of heritage might be attempted, confined to things that are both of surpassing beauty, curiosity or interest, and tied to these islands by origin, native genius or historical association."

As well as general definition there has been much practical application of the concept of cultural property, and many objects have been returned by museums to their country of origin. In 1872 the British Museum, at the request of Queen Victoria, returned to Ethiopia the oldest manuscript of the *Glory of Kings*, the chronicle of the history of the country, which had been taken from Magdala in 1867 by General Napier. Other items from the spoils of Magdala were returned by subsequent British sovereigns; the imperial crown of Emperor Theodore by George V in 1924 and the crown of the Abuna, the head of the Ethiopian Church, by Elizabeth II in 1965. In 1964 the Victoria and Albert Museum returned to Burma the regalia taken from Mandalay in the second Burmese War. In 1971 Denmark returned to Iceland the oldest manuscripts of the Edda and the sagas. In 1973 the Newark Museum, New Jersey, returned a fifth-century AD mosaic at the request of the Syrian government. In 1977 an agreement was concluded between the Netherlands and Indonesia for the

return of a range of objects from statues to manuscripts, which both parties recognized as being important evidence for the history of Indonesia. In the 1970s several American museums returned items of cultural property to Central American states and to Peru. Australia has recently returned many objects to Papua New Guinea, the Solomon Islands and Vanuatu. In 1981 Britain returned to Kenya the skull of a two-million-year-old hominid, *Proconsul africanus*.

This list, which does not include straightforward cases of restitution of stolen property, could be many times longer. However, the cases mentioned give some idea of the scale of the return of cultural property in the past two decades and the variety of circumstances in which it took place. The importance of this point will be seen when we examine some of the arguments put forward by those at present opposed to such return.

Britain, as a former world power and until forty years ago the ruler of a vast colonial empire, is likely often to be faced with claims for the return of items of cultural property from its erstwhile colonies and protectorates. There has, it appears, been diplomatic pressure from Nigeria for the return of some of the bronze and ivory sculptures taken from Benin City in the course of a "punitive expedition" in 1897. These provide vital testimony to the antiquity and the high quality of West African art. To descend from the sublime to the mildly ridiculous, recent negotiations between the British Museum and the Egyptian government for the return of a small piece of the Sphinx's beard broke down, if one may believe the media, on the issue of just how the fragment was to be attached to the rest of the beard.

Overshadowing these issues both in its intrinsic importance and in the public interest which it arouses is the Greek claim for the return to Athens of the Parthenon marbles. Most of the problems arising in connection with cultural property, and the arguments on which they turn, can be illustrated from the discussion which this claim has provoked. However, it has to be said that the dispute over the marbles did not begin when Mme Melina Mercouri announced, at a conference of Ministers of Culture organized by Unesco in Mexico City in July 1982, that the Greek government proposed shortly to request their return. Since Lord Elgin stripped what he could from the pediments, metopes and frieze of the Parthenon in 1801 to 1803, dismay and protest have been expressed in Greece and Britain at the mutilation of the monument and the removal of most of its sculptures to a museum 1,500 miles away. Byron's friend and literary executor John Cam Hobhouse relates how in Ioannina an elderly Greek said to him, "You English are carrying off the works of the Greeks our forefathers, preserve them well; Greeks will come and redemand them." In 1912 the German archaeologist Georg Karo was charged by some of his Greek colleagues to negotiate with the British Museum for the return of some of the sculptures as part of a proposed exchange. In England, too, voices of protest were raised from the first. Byron's scathing attack on Elgin in *Childe Harold's Pilgrimage* and *The Curse of Minerva* is too well known to need quoting. Edward Dodwell, who was in Athens when the sculptures were detached from the temple, used language less striking but no less reproachful.

In the debate in the House of Commons on June 7, 1816, on the Report of the Select Committee appointed to consider whether to buy the marbles from Elgin, Hugh Hamersley MP proposed an amendment that the government should indeed purchase the marbles, but that "a communication should immediately be made, stating that Great Britain holds these marbles only in trust till they are demanded by the present, or any future, possessors of the city of Athens; and upon such demand, engages, without question or negotiation, to restore them, as far as can be effected, to the places from whence they were taken, and that they shall be, in the meantime, carefully preserved in the British Museum". Hamersley's amendment was not put to the vote and the original motion was carried by 82 votes to 30. But among those who spoke and voted against it was W. D. Best, then Solicitor-General and later Attorney-General, Sir John Newport, later Controller of the Exchequer, and Henry

Brougham, later one of the most distinguished Lord Chancellors of the nineteenth century. Thereafter the return of the marbles was advocated by such figures as Frederic Harrison, philosopher, jurist and historian, Thomas Hardy, Roger Casement and Harold Nicolson. And in January 1941, when British and Greek troops were fighting side by side against the Germans, a proposal in Parliament that the marbles be returned to Athens after the war was supported by the Foreign Office, but rejected by the government. It is because this controversy has such a long history that it illustrates so well the problems, the arguments and the attitudes on the matter of cultural property.

The British government's reply in 1984 to the formal Greek request for the return of the marbles was that the British Museum was prevented by an Act of Parliament of 1963 from alienating any object in its collections, with a few exceptions of a technical character, and that the sculptures had been legally acquired by Lord Elgin under the authority of the Ottoman government, which exercised legitimate power in Athens. On the first point it is clear that what Parliament did Parliament can undo. The second point raises rather more interesting issues. First of all, the *firman* which Elgin obtained from the Turkish authorities is a most unclear and ambiguous document. The present Keeper of Greek and Roman Antiquities at the British Museum has gone on record that it is doubtful whether it authorized Elgin to demolish any part of the building in order to detach the sculptures. Second, in a recently discovered letter to the Prime Minister, Spencer Perceval, in 1811, Elgin writes that his successor in Constantinople had been told by the Turkish government that "the persons who had sold those marbles to me had no right to dispose of them". Third – and this may explain the use of the word "sold" in this letter, which contrasts with other statements by Elgin that he did not buy the marbles – Elgin in the account which he gave to the Select Committee included £21,902 for presents to Turkish officials, a figure which suggests that he had crossed the boundary between courtesy and corruption.

More important than any of these points is the historical and political conjuncture. Nelson had just defeated the French fleet in the Battle of the Nile, and the French army in Egypt was soon to surrender. Britain was the dominant power in the Mediterranean, and it was to Britain that the Sultan looked to protect him from the French. His Britannic Majesty's Ambassador could get almost anything he asked for. Glyn Daniel asked in 1982 if there was any good reason why the Rosetta Stone should be in Bloomsbury rather than in Cairo. "It came to us", he wrote, "as the spoils of war." The same might be said of the Parthenon marbles, and of many other objects in the museums of the West.

There is no glib and easy answer to the question what to do with them. Each case must be examined on its merits. But the circumstances of acquisition of such objects must always be taken into account in deciding their proper destination. It is not enough to say that because the acquisition of an object was legal at the time, therefore its retention is either legal or moral. The Treaty of Riga in 1921 established this principle. Thurstan Shaw put the matter in a nutshell in 1982 when he wrote, "Where things are obtained by right of conquest" at a time when the country of origin was weak . . . the ex-imperial country, if it hangs on to these things, is denying the country of origin part of the 'independence' which was 'granted' with such self-righteous fanfare some years ago."

To return to the Parthenon marbles: there are two arguments in favour of their return which merit serious consideration, and which, *mutatis mutandis*, are applicable in a number of other cases. The first is the argument from the integrity of a work of art. The Parthenon, of which its sculptures are an integral part and not mere external decoration, is clearly a work of art of unique quality and importance. Is it reasonable that one should have to travel 1,500 miles to see the whole of it? We try to unite head and torso of a broken statue and to bring together the panels of an altar-piece. All the greater reason to bring the Parthenon sculptures back to Athens, irrespective of how they were acquired. There is surely an important difference between portable works of art,



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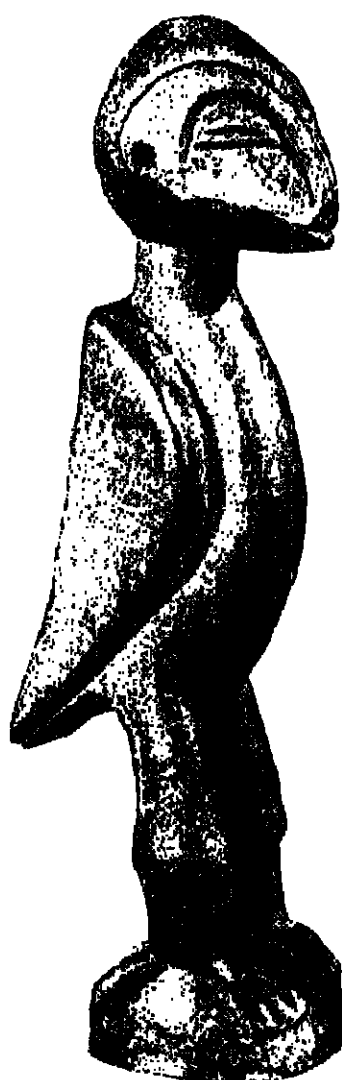
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made to be taken away, and the parts of a building which is itself part of a sacred landscape. To this some reply that the argument would hold if the sculptures could be replaced in their original positions on the building, but since they cannot be so replaced, they might as well be in a museum in London as in Athens. This objection may carry less weight if one recalls that the principal reason why they cannot be replaced is that Elgin destroyed the structures in which they were incorporated.

The Parthenon has stood on the Acropolis for 2,450 years, and it may well be that before as many more years have passed, changes in technology – and in taste – may enable the sculptures to be put back. In the mean time many who have given thought to the matter believe they can be best understood and appreciated in the closest possible proximity to the building of which they formed a part. As Thurstan Shaw wrote last year, "Original works of art are better studied and better understood in the milieu which gave them birth." Byron put the matter with his usual clarity and forcefulness when he wrote in 1821, "I opposed, and will ever oppose the robbery of ruins from Athens to instruct the English in sculpture; but why did I do so? The ruins are as poetical in Piccadilly as they were in the Parthenon; but the Parthenon and its rock are less so without them. Such is the poetry of art." All in all, the argument from integrity is a powerful one, with many and varied applications.

The second argument is that from symbolic significance, and once again, it is one of very general application. The Statue of Liberty is a symbol of the United States both in the sense that a picture of it at once calls to mind that country, and in the more profound sense that most Americans see it as a kind of token or representation of important features of American history and the world role of the United States. If it were to be removed by an occupying power, or shattered by an earthquake, there would be a widespread sense of national loss and humiliation; the Americans' link with their own past would have been broken. The crown of St Stephen, which was removed from Hungary by the Germans during the Second World War, and later came into the hands of the Americans, had for centuries been for many Hungarians a reminder of the origins of their state and of the entry of the Hungarian people into the Christian community of Europe. Its loss was felt as a diminution of their dignity as a nation. Eventually it was returned to Budapest by the United States government. The removal to London by Edward I of the Stone of Destiny, on which the Kings of Scotland had been crowned, was doubtless intended to symbolize the extinction of Scotland as a nation. Many Scotsmen have felt and still feel that it should be returned, and some years ago it was surreptitiously removed from Westminster Abbey and hidden for a time in Scotland. For many Greeks the Parthenon and its sculptures are just such a symbol of their national identity and of their heritage from the past, and the retention of the sculptures in Bloomsbury is seen as a diminution of their dignity as a people, all the more humiliating now that other peoples and states are recovering their national symbols.

It is sometimes argued that there is little continuity, cultural or genetic, between the Greeks of today and those who built the Parthenon. Whatever one may think of the soundness of this argument, it is totally irrelevant. Symbols and structures of meaning are social constructs, not natural phenomena: If the Statue of Liberty or the Crown of St Stephen or the Parthenon or the oldest Icelandic manuscripts or the coronation stools of the Ashanti kings are charged with intellectual and emotional significance, it is because the peoples concerned have chosen, so to charge them. Claude Lévi-Strauss once asked why people attach so much importance to archives. Every one knows, he says, what is in Magna Carta or the Declaration of Independence, and easily legible printed copies are readily available. Why bother to conserve the originals? His reply is that these documents are fragments of the past embedded in the present, legitimizing it and deepening its significance. The same reasoning can be extended to other objects, like Australian churingas, or to monuments such as Westminster Abbey or the Parthenon. Their loss leaves a void in the present, and



A figurine carved in wood and collected among the Holo people of the upper Kwango river; reproduced from *The Arts of Zaire: Volume One*, Southwestern Zaire by Daniel Biebuyck (313pp, University of California Press, £41.95, 0 520 05210 2).

when they are removed to another milieu or another place they lose much of their meaning.

Two arguments frequently advanced against the return of cultural property call for serious examination. One is concerned with the ability of the receiving country to look after the returned objects properly. Now it is true that many Third World countries lack trained personnel and suitable buildings and equipment. In so far as they are former colonies, it may well be asked why their colonial rulers failed in the past to train archaeologists and conservators and to build museums. It is likely that in some cases this failure was part of a policy, deliberate or not, of cultural impoverishment and deprivation which went hand in hand with the physical removal of objects of cultural significance. Enlightened governments of former imperial countries have sometimes recognized and sought to repair their former shortcomings. When the Belgian government in 1977 returned a large number of objects to Zaire it also undertook to help the government in Kinshasa to set up a museum system and to train specialists in conservation.

In any bilateral negotiations on the return of cultural property realistic assessment of the receiving country's technical resources should be matched by readiness to help bring these resources up to an adequate standard. This does not always happen. And one still meets from time to time with patronizing and anachronistic arrogance on the part of the authorities who hold other people's cultural heritage. It was the director of an English museum, whom through charity I forbear to name, who wrote in 1982, "However stable such [Third World and similar] countries may appear to be, you cannot guarantee stability anywhere outside the West." Had he never heard of the devastation of Europe by two world wars, to say nothing of revolutions, coups d'état and civil wars? It is still occasionally suggested by persons who have learnt nothing and forgotten nothing that the Greeks would be unable to look after the Parthenon marbles. Few who visited the recent exhibition in the British Museum on the conservation and restoration of the Acropolis will share this view.

A more serious cause of hesitation to return cultural property is the fear that if anything is returned, this will open the floodgates and empty the great international museums. The

Times on October 30, 1985, commenting on the Greek request for the return of the Parthenon marbles, declared that "The consideration which dominates the debate today is not history, or the issues of competence and accessibility – where there is hardly anything to choose between London and Athens. The problem is precedent." This is a point of view sincerely maintained by many who are otherwise sympathetic towards the idea of the return of selected items of cultural property, and it calls for a sincere reply.

In the first place it is based on a logical fallacy. If it would be bad for everything to be returned to its place of origin, it does not follow that nothing must ever be returned. Second, it is a morally questionable attitude. If one recognizes that it is right to do something, one does not refrain from doing it because later on someone else may as a result do something wrong. Third, it is historically doubtful. As we have seen, much cultural property has been returned in the past, and particularly since the Second World War. If the floodgates were going to open (the emotive metaphor is not mine), they would have opened long ago. Contrariwise, if one rejects a particular claim today, it will not prevent another, perhaps more successful claim being made tomorrow. Even if Greece does not get its marbles, Nigeria will still want the Benin sculptures, and maybe one day China will ask for some of the thousands of objects looted in 1860 from the Summer Palace at Peking. (By one of the ironies of history the man who ordered the sacking and burning of the palace was the eighth Earl of Elgin.)

The idea that the museums will be emptied is

The right to quote

David Holbrook

So far as writers are concerned, cultural property means copyright, and there is one area in which copyright law is seriously abused, even though it seems quite clear: the area of what is called "permissions". Many publishers have permissions departments which deal with requests to use copyright material in, say, biographies or anthologies. This is a valuable source of revenue for publishers, as many of them have admitted, and properly so. A publisher who, for example, took the original risk of publishing strange new work by Samuel Beckett, later reported that fees for quotations from this author were rewarding him substantially.

The "permissions" people in publishing houses never, however, suggest to an author that he need not have asked permission, or admit that they have no legal right to deny him permission or to demand a fee, in cases where quotations an author wants to use are for the purposes of "fair dealing" by way of criticism or review. The Publishers' Association and the Society of Authors have put out leaflets which concentrate attention on the amount that may be quoted by an author, to constitute "fair dealing". These are often misleading, because they do not make it clear that this does not apply to critical uses. In fact, in a court action some time ago, it was decided that as much as a fifth of a whole book may be justifiably quoted for the purposes of criticism. The only unacceptable use of material, it seems, would be if the amount of quotation or reproduction was so considerable that what was produced would be a competing work in itself.

In recent years I have met with various forms of misuse of copyright law by publishers. On one occasion I was told that I must not quote so many words from a particular author, whose publisher suggested a limit. He also demanded a fee of £80, which was paid. The publisher had no legal right to demand this fee, and certainly no right to impose a limit on the number of words quoted in a critical study, or to refuse permission to quote in such a work. Another copyright holder demanded considerable editing of a critical essay, including the deletion of any reference to the wife of the poet I was discussing. Although this was accepted by my own publisher, the copyright holder in question again had no legal right to do so. On another occasion, this same person held up a critical book of mine for two years while she

misleading because it assumes that many objects will be claimed and most of the claims granted. But as Stétié argues, the number of objects which meet the criteria for return is very small. From all the museums of Europe and America they would number only a few among their hundreds of thousands of objects. Glyn Daniel, writing in *Antiquity* 58 (1984), observes that this seems a very good argument, and hopes that it may prevail. Perhaps the often expressed worry about precedent stems from the importance of precedent in the jurisprudence of common law countries. In countries which follow Roman law or the Code Napoléon, people seem to agonize less over precedent. In any case precedent is of prime importance only where there is a tribunal which is bound by it, and there is probably none which can give binding decisions on claims for the return of cultural property. This is a matter for negotiation rather than judicial decision, and in any event scarcely any two cases are sufficiently similar to create a valid precedent.

These problems will be with us for a long time. They are bound to generate powerful emotions. But the way to settle them is by careful and dispassionate consideration of historical, aesthetic, moral and technical arguments, and by recognition that the present distribution of the cultural heritage of the world is the product of past history and will be changed by future history. If these problems are approached without animosity and self-righteousness, they can mostly be solved, and, if one may judge from some recent cases, their solution will help to reduce the mistrust between nations.

demanded to see the original manuscript, and asked for it to be prefaced with a note saying that in her opinion it was a "misguided enterprise". That was refused; but she was paid a fee of £60.

At the moment of writing I am preparing the manuscript of a critical study in the realm of popular culture, in relation to the use of symbolism by children and young people. Obviously here I must get my situation clear since I am quoting "pop" songs, strips from children's comics, and other copyright material. I know from past experience that I could face refusals, and exorbitant demands for fees, and from the experience of colleagues that in certain areas people are very sensitive to criticism: advertisers, for example, are notoriously hostile to any kind of criticism of their use of symbols and language, and often refuse blankly to allow reproduction.

But I have unexpectedly fallen into copyright difficulties over a request to use some drawings in a book on child psychiatry. I want to use ten drawings by a child patient, in which she communicates with a therapist whose theories I wish to bring into educational theory. To my surprise, I was asked for a fee of £5 per drawing – so that I would have to pay a substantial proportion of my advance on the book for these "permissions", even though my work on this therapist may well improve sales and knowledge of his work among teachers and educationists. There is thus every reason why an author should not ask permission to quote, in a work of criticism or review.

Scientists recognize this, and act accordingly. If a biologist wishes to refute Professor Blenkinsop's account of the sexual habits of the lesser lugworm, he quotes Blenkinsop's account of the mating ritual, and then offers his own interpretation – giving, of course, chapter and verse. It is only in the area of the arts and liberal studies in general that publishers band together to enforce the extraction of fees, so that hundreds of authors are wasting time, and suffering humiliation and frustration, paying large fees, when there is absolutely no occasion for them to do so. Critical discourse must have the right to go on openly without such interference, and it is time permissions administrators drew up a code of practice which could be sent to authors who apply mistakenly, informing them of their freedom under the Copyright Act to quote "for the purposes of criticism or review", provided such quotation "is accompanied by sufficient acknowledgement". Authors themselves should simply quote and be damned.

Patents and pirates

John Thackara

DAN JOHNSTON
Design Protection
143pp. Design Council, 28 Haymarket,
London SW1. £5.
0850721652

A couple of years ago, a small furniture company in Hong Kong decided to bring out an "oriental version" of a famous chair first designed during the 1930s. It was 20 per cent smaller than the original, an alteration which the Hong Kong firm thought would allow it to avoid recognition of the worldwide rights to the chair owned by a big Italian manufacturer. The legal position was cloudy, and a court case would have been expensive for all concerned. But it was not necessary. Two very large Italian gentlemen visited the Hong Kong company's headquarters, and ten minutes later the chair was off the market.

The story highlights one of the principal difficulties for the owner of a design faced with piracy or plagiarism. International law affords protection to some categories of designs and inventions, but for all but the largest corporations it seldom makes financial sense to call in the lawyers.

Taking out a basic, uncontested, patent in the United Kingdom, including patent agents' fees, costs about £2,000. The inventor and designer of the Workmate, Ron Hickman, has spent nearly half a million pounds on patents, patent applications and design registration around the world; he has spent the best part of £1 million on patent litigation. In his case, the expenditure has been worthwhile – the product has sold more than ten million units. But few small companies have such a brilliant product that they can risk impoverishment trying to plug all the legal holes.

There are no reliable figures on the loss to British firms, and to the economy as a whole, through piracy of designs and inventions. The

popular view is that Britain, as a nation of boffins and inventors, has suffered from the rapacious and unprincipled behaviour of foreigners – but there is much self-serving mythology in this. It has taken years of industrial decline for the difference between invention, which the British are quite good at, and innovation, at which they fail, to sink in. The investment required to translate a technical idea into a marketable product is as great, in time, money and expertise, as that needed to produce the original idea – so it is not really true that we are being done out of our just deserts.

Dan Johnston's excellent primer *Design Protection* is free of little-England whingeing. He deals concisely and clearly with the legal options open to the designer, inventor or business person seeking legal protection for his or her work – but he also argues, with the law, that it would be wrong to give so much power to individuals, however talented, that they may veto the exploitation of inventions which might be for the public good. This non-expert reviewer, for one, was surprised to discover that the law is disinclined to side automatically with the owners of commercially valuable "industrial property" – inventions, trademarks, industrial designs and so on. It transpires, too, that the World Intellectual Property Organization devotes substantial resources to facilitating technology transfer to developing countries; one would have suspected, from its title, the opposite.

Patent applications are considered to be a good indication of a country's scientific health. The earliest known patent for an invention in Britain was given by Henry VI in 1449 for the making of coloured glass for the windows of Eton College; with the development of new industries in the reign of Elizabeth I, patent applications became more common, about fifty being granted during her reign. Now, after the heady days of the industrial revolution, Britain's industrial base is "hollowing out"; our rate of patent applications is declining, while

that of the Japanese is on the increase. This is particularly worrying because patents do not apply to "design" – the appearance of marketable products – just to technical advances and processes. This means that Britain's "design boom" of the past five years will not, of itself, bring substantial economic benefits. On the contrary, much industrial design in Britain and the United States is used to package imported, high-value technology. Many "British" cars, radios, computers and so on are nothing of the sort.

The lawyers have had recently to grapple with a new problem – adapting copyright law to cope with "intangible" products and inventions incorporating software. Copyright protection extends to the "original work", which had been interpreted for ages to mean the actual drawings, including doodles on envelopes, made by the designer. Ideas were specifically excluded. Now, however, the software component of products such as computer systems is up to seven times more valuable than the hardware, so there is much pressure to revamp international copyright law.

In practice most high-technology companies prefer either to use technical means to protect themselves – for example, by making it impossible physically to copy a software program; or else they adopt a strategy based on competitive advantage, in which they keep ahead of the competition by continuous innovation. Japanese companies such as Sharp know that many of their products may enjoy an uncopied run in the market for a few months at most: their response is to launch a staggering 2,000 new products annually, which is more than a match for the most resourceful plagiarist.

Design Protection is aimed at the smaller operator, to whom a basic knowledge of patents, design registration, copyright, "passing off", trademarks and so on is important. The book is as jargon-free as could be expected, and includes excellent chapters specifically for manufacturers and designers, spelling out the practicalities and options open to each.

Digressions on an aphorism

Sean French

ROBERT K. MERTON
On the Shoulders of Giants: A Shandean
postscript
300pp. New York: Harcourt Brace
Jovanovich. \$14.95.
0151699623

On February 5, 1675, Isaac Newton wrote, in a letter to his fellow scientist and rival Robert Hooke: "If I have seen further, it is by standing on the shoulders of giants." No reply to the letter survives, and it is not even certain that Hooke received it.

On November 8, 1957, Bernard Bailyn wrote to his fellow academic and friend, Robert K. Merton, thanking him for a copy of the presidential address that Merton had recently delivered to the annual meeting of the American Sociological Society. In passing he referred to the Newton epigram, which had formed a part of Merton's lecture: "that saying appears to have a rather impressive antiquity. I came on it twice, in Gifford and Laybass, as a remark of Bernard of Chartres in the early 12th century."

Professor Bailyn didn't know what he was starting. For fifteen years Merton had been assiduously hoarding appearances of the saying and in his reply to Bailyn's letter he took up the story. The letter went on and on and was finally published in 1965 as this eccentric masterpiece, *On the Shoulders of Giants*. As the subtitle, "A Shandean postscript", suggests, Merton was not attempting an orthodox work of history. As he puts it in his preface to this new edition: "I adopted the non-linear, advancing-by-doubling-back Shandean Method of composition at the same time I was reflecting that this open form resembles the course taken by history in general, by the history of ideas in particular, and, in a way, by the course taken in scientific inquiry as well."

At first sight this could all seem a fuss about nothing. If you look up Newton's epigram in *Barle's Familiar Quotations* (I used the four-

teenth edition, published in 1968), you are referred back to Robert Burton's *The Anatomy of Melancholy* and thence to Lucan's *Civil War*, dating from the first century AD. However, the final flourish of Merton's virtuoso display of scholarly conjuring is to reveal that the putative source of the aphorism in Lucan is in fact a fiction based on a crude misreading of its citation in Burton, a mistake that has been repeated by generations of readers of *The Anatomy of Melancholy*.

Merton pursues his quarry with the determination of a detective, though his progress is, in its comic indirection, often more worthy of Clouseau than Holmes. After examining the aphorism in Burton and Newton, he follows its progress through the works of such lesser-known figures as Godfrey Goodman (chaplain at the court of James I), George Hakewill and Père Marin Mersenne, the latter of whom provided a favoured version ("compact and generous"): "car, comme l'on dit, il est bien facile et mesme nécessaire de voir plus loin que nos devanciers, lors que nous sommes montez sur leurs espauls: ce qui n'empêche pas que nous leur soyons redevables".

In his other work, Merton has been much concerned with the sociology of science, dealing with such topics as plagiarism, priority of scientific discovery, collaboration and rivalry between contemporaries, the relation of scientists to their past. The aphorism stands at the heart of these concerns, a multi-edged weapon that can be used for a variety of purposes, and under Merton's learned gaze it becomes a rich and revealing tool for uncovering a whole range of attitudes. Most obviously – as with Mersenne above – it is a declaration of respect for the past. But the modesty is sometimes feigned. As the violently anti-progressive cleric, Godfrey Goodman saw, in using the aphorism "we might seem to magnify the Ancients; but indeed very cunningly do depress them down, making them our footstools". Burton cites it in the second edition of *The Anatomy of Melancholy* in order to counter the accusations of plagiarism levelled at the first Newton. It is with composed ruthlessness to acknowledge

his debt to Hooke and Descartes while at the same time belittling the debt's importance.

Both before and after Newton, the aphorism was available as a weapon to be harnessed to current controversies. When Bacon developed his paradoxical theory that "these are the ancient times, when the world is ancient, and not those which we account ancient *ordine retrogrado*, by a computation backward from ourselves", or during the Battle of the Books controversy over the relative merits of the ancient and modern world, writers were quick to adapt the dwarfs-on-giants-shoulders image to changing circumstances.

On the Shoulders of Giants would make enthralling reading even if it consisted merely of Merton's history of his pet aphorism, but that is only a part of the book. Like Sterne, Merton cannot see a by-way or a garden path without pausing to lead us up it. He analyses Aubrey's descriptions of his subjects' eyes; discusses plagiarism, citing Tristram Shandy's attack on the practice, itself plagiarized from Robert Burton; he identifies the disease *insanabile scribendi cacothexis*, whose principal symptom, most prevalent in American universities, is an insatiable compulsion to rush into print; he pronounces on the concept of fatherhood in science, and on attempts to write a history of conversation. Merton's attempts at Sternean whimsicalism can occasionally be trying but he displays to some effect a dry academic wit, praising Swift praising digressions in a footnote that occupies a whole page on its own and denouncing the casual insertion of parenthetical matter into a sentence in what is itself an insertion.

The book is the delightful apotheosis of don-manship: Merton parades scholarship while being faultlessly scholarly; he scourges pedantry while brandishing his own abstruse learning on every page. The most recondite and obscure scholarly squabbles are transmuted into the material of comedy as the ostensible subject is shouldered to one side by yet another hobby-horse from Merton's densely populated stable. He has created a *jeu d'esprit* which is profound, suggestive both in detail and as a whole.

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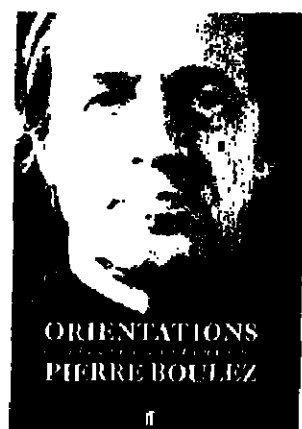
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Stuart Piggott

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Objects and Others: Essays on museums and material culture
258pp. University of Wisconsin Press. £23.95.
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Collections of rare, valuable and extraordinary objects, formed and maintained to enhance the prestige and augment the demonstrable wealth of the collector, have a long documented history, and behind that a suspected prehistory in ancient Europe. The concept of gift-exchange as an important social mechanism in many societies found its way from anthropology to history and archaeology in the 1950s, especially in this country with the English translation in 1954 of Marcel Mauss's essay *Le Don* of thirty years earlier. Moses Finley convincingly applied it to Homeric Greece in 1956, and the reviewer and Franz Fischer later extended the concept to other areas of later prehistoric Europe. What is important in the present context is that the exchange of gifts demands depositories or treasuries where objects of suitable prestige are stored for reciprocal presentation and admiration, and may in time become permanent demonstrations of rank and status, as well as tangible wealth. Rare objects may come from far afield, as the votive collections in Greek temple sanctuaries show us, and when religious convention demands the burial of the requisite fine pieces in tombs, the treasures must exist to provide this ostentatious wealth for the dead, such as the Greek vases and Etruscan bronzes in Early Celtic graves north of the Alps.

In earlier medieval Europe, treasures, princely or ecclesiastical, developed and flourished, the latter especially, less liable to dispersion and the insecurity of temporal power, becoming in effect museums of works of art, ancient and contemporary. These collections were largely the outcome of the cult of relics, in which credulity and cupidity, combined on occasion with outright theft and fraud, led to the accumulation of appropriate reliquaries which could in their elaborate adornment act as a means of preservation for precious objects of earlier date. Sometimes such pieces survived as treasures in themselves. The tenth-century English king Athelstan acquired 'a vase of onyx, carved with such subtle engravings' art that the cornfields seemed really to wave... so clear and polished that it reflected like a mirror the faces of the onlookers', as William of Malmesbury recorded; it must have been a Late Antique piece comparable with the agate two-handled cup in the treasury of St Denis mounted as a chalice, or the great agate bowl which in 1564 was formally proclaimed as an inalienable heirloom of the House of Habsburg and which is now in Vienna. Similarly, antique gems were preserved, like the large fourth-century sardonyx cameo presented by the ninth-century king Ethelred to St Albans Abbey and drawn by Matthew Paris in the thirteenth century; the cameo of Augustus set in the Cross of Lothair of c. 1000; another agate cameo on the Cross of Eilgus at St Denis; or earlier, those of Theodolinda's Gospels at Monza. The huge cameo, the *Gemma Augustea*, survived in secular contexts and was in the Vienna Kunstkammer to be drawn by Rubens before 1620, when Nicholas de Piersse spotted its counterpart, the *Gemma Tiberiana*, set in a reliquary of 1379 in the treasury of the Sie Chapelle in Paris. The preservation of these works of art and their transmission by the Church in its treasuries is exactly comparable with the survival of classical manuscripts in monastic libraries.

Even earlier treasures may be so preserved. The tenth-century reliquary of St Andrew at Trier incorporates in its decoration a seventh-century Frankish brooch, itself a setting for a

sixth-century medallion of Justinian, so as to make it a piece of archaeological stratification in itself. And Fernand Benoit even suggested that the gold face-mask of the famous Ste Foix effigy-reliquary at Conques, its first tenth-century, is in fact a re-used Late Celtic mask, with good parallels in silver from a Gallo-Roman shrine near Angers, and elsewhere. The handsome volume edited by Oliver Impey and Arthur MacGregor does not concern itself with collections of rarities and treasures before the sixteenth century, and results from an Oxford conference organized in connection with the tercentenary of the Ashmolean Museum in 1983. The earlier collections should not, however, be forgotten, for they show how much of the same psychology and motivation persisted from Abbot Suger in the twelfth century at St Denis to the Kunstkammer, and more particularly the Schatzkammer, of early modern Europe. The new collections, like so much of the Renaissance thought of which they were an expression, were Janus-headed, looking to the past of the old treasures and forward to a novel descriptive and classificatory approach to the natural world of plants and animals, fossils and minerals, man and his works.

The thirty-three essays in this volume, by an international team of scholars, provide a wonderful account of how there appeared, at first in parallel with and then complementary to, the aristocratic art gallery of painting and sculpture, the scientific and mercantile museum designed certainly to astonish, but also to instruct by its carefully organized collections embodying an ordered taxonomy. Early on in Italy, such museums owed their origin not to princes or nobles, but to scholars such as Ulisse Aldrovandi (1522-1605), professor of *fossilibus, plantis et animalibus* in the University of Bologna; in Basle to Bonifacius Amerbach, lawyer and friend of Erasmus; in Copenhagen the physician and philologist Ole Worm formed his famous Museum Wormianum with its widely influential catalogue published in 1655, a year after his death. Universities formed and fostered their museums, as in Leiden, where two successive professors of medicine, Pieter Paaw and Otto van Heurn, made a famous museum linked (as often elsewhere) with its physic garden, around 1600. In England the gardens and collections of the Tradescants at Lambeth, which were to become the nucleus of the Ashmolean Museum in 1683, fit this by now established pattern.

Side by side with these, the princely treasury developed along new lines, with that of the Elector Augustus at Dresden and the Habsburg Kunstkammer in Vienna leading the way in the 1550s and 1560s. Here and elsewhere, including Peter the Great's collections, transferred from Moscow to St Petersburg in 1714, were many fine works of craftsmanship and ethnographic rarities: Peter's famous Scythian gold objects from Siberia incidentally had their counterparts, now lost, in the private collection of the Dutch traveller, Nicholas Cornelius Witsen, formed at the same time, about 1715-16. The ethnographical collections form an expression of the newly awakened interest, from the late sixteenth century, in foreign and exotic peoples, following the opening-up of geographical horizons with the new voyages of discovery, the publication by Theodor de Bry of the Indian drawings of John White and Jacques Le Moyne from 1590, and the popular costume-books of De Bruyn, Deserpx and others. Here come the famous pieces from the Americas, such as the Mexican feather-work and six surviving mosaic masks, one documented (in Florence) as early as 1533, and knife-handles; here also the stone axe-blades and arrow-heads which directed antiquaries to their prehistoric European and British counterparts. Via the Tradescants, the Ashmolean obtained the embroidered caribou-skin shirt which is the earliest surviving North American skin garment, and the famous bead-embroidered deer-skin cloak, attributed since 1638 to the father of Popocatepet, though now it seems without warrant.

Exotic Islamic art had reached the medieval treasuries in the form of luxury textiles and embroideries, and such fine pieces as the tenth-century Palimid rock-crystal ewers in St Mark's and St Denis; St Mark's also acquired the Chinese thirteenth/fourteenth-century white porcelain vase traditionally associated

with Marco Polo, and the New College, Oxford, celadon bowl was presented in 1532; by 1553 the inventories of Cosimo de' Medici list some 400 pieces of celadon and blue-and-white porcelain. Thereafter Chinese wares were widely acquired from Portuguese and Dutch sources. Like the contemporary nautilus-shell and coco-de-mer cups, fine porcelains, like the Gaignières-Fonthill fourteenth-century piece, might be adorned with precious metal mounts to enhance their splendour, in the manner of Suger's Late Antique porphyry vase wonderfully transformed into a Romanesque eagle. On the other hand, the cabinets of curiosities in many instances contained important and valuable natural history collections of herbaria and dried or stuffed animals, illustrating the increasing mastery of classification and taxonomy from Gesner to Linnaeus, and with these 'naturals' (also, of course, closely related to the physic gardens) went collections of 'artificials' of ingenious human workmanship, like Newton's first reflecting telescope, Hooke's cider-press and Wren's beehive in the Royal Society's Museum of Natural and Artificial Rarities catalogued in 1681. These indicate the increasing prestige of mechanical contrivances already foreshadowed in the late Middle Ages – the Virtuosity of Technology, as Lynn White has called it, with the allegorical exaltation of *Temperantia* as symbolic of new inventions – which is demonstrated in the outstanding display of over 7,000 craftsmen's tools in the cabinet of the Elector Augustus in the 1580s, and others elsewhere. Lathe-turning became a passion among the nobility and gentry, and as this review is being written, a book on this princely pursuit by Klaus Maurice is announced from Switzerland: the great collections delighted to display this art. It offered a dignified and gentlemanly form of Do It Yourself for the dextrous, and in the creation of the perfect solid geometry of sphere, cone and cylinder brought the noble craftsman nearer to God the Great Artificer.

The Ashmolean Museum, whose tercentenary prompted this notable contribution to the history of art and ideas, received a commensurate study of its origins and founding collections by Arthur MacGregor in 1983, and now a history of its subsequent history and vicissitudes has been written by R. F. Ovenell, for long the Museum's librarian. It reminds us of how the Tradescant collections of naturals and artificials acquired by Elias Ashmole and presented to the University were at the time thought of as an appendage to a fine new alchemical laboratory, and continued as part of a science lab until less than a century ago. In its early years, in the heyday of the newly founded Royal Society, it had as Keeper Robert Plot, in the good tradition of the topographical antiquary, and following him the great Celtic scholar Edward Lhwyd. Then, in the eighteenth century, when 'academic indolence and inter-necine college quarrels' take us into the world of Gibbon's dons and their deep and dull positions, the Ashmolean fell into sad decline, from which it only emerged with the energetic intervention of John Henry Parker and Arthur Evans, and the transference of its archaeological collections from Broad Street to C. R. Cockerell's University Galleries in 1894, after the ethnographica had in 1886 gone to the new Gothic University Museum to join the collections of General Pitt-Rivers, formally accepted two years before.

Objects and Others, a volume with ten contributions, contains an outstanding essay by W. R. Chapman describing Pitt-Rivers's anthropological theory and practice, and the Oxford collections he formed as a tangible expression of his views on 'the principles and the course of human cultural evolution'. Another paper, by Bruce Trigger on 'Writing the History of Archaeology', is, as one expects from the author, lucid and perceptive. The rest takes us, sometimes rather portentously, into the world of the American ethnographical museums of the last century, the increasingly brash, competitive, populist approach so like that of Cope, Marsh, Carnegie and the Dinosaur Rush at the same time, and with Theme Parks and Disneyland already perceptible on the not too far distant and menacing horizon.

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The ethics of cultural property

Michael Dummett

In debates concerning cultural property, retentionists are ranged against restitutionists. The debates I mean are those concerning objects in public collections: ones in private hands raise different issues. There are, of course, no pure restitutionists – people who want every object in the galleries and museums returned to its place of origin. Enoch Powell, appearing for the retentionist cause on a television programme about the Parthenon marbles, chose to caricature his opponents as wanting every Rembrandt sent back to the Netherlands; but no real restitutionist argues for the return of more than a very few, very special, items. So few are these that there is no room for opposition save by adherence to the pure retentionist doctrine.

A noteworthy feature of such debates is the enthusiasm shown by the retentionists for internationalism. The demand for restitution springs from nationalism, they declare, and nationalism is a malign and retrograde force. Sir David Wilson, the Director of the British Museum, has even labelled the movement for returning the Parthenon marbles 'cultural fascism'. What is remarkable about these internationalist sentiments is their avowal by people whom one would not expect, in other contexts, to manifest such disdain for patriotic feelings or national rights: it is tempting to compare the phenomenon with the sudden, and short-lived, indignation at fascist dictatorships evinced by right-wing MPs during the Falklands war. It is difficult to think it altogether fortuitous that this eagerness to be of service to all mankind proves a ground for retaining famous works of art in Britain. Yet, however one may suspect that those who use such arguments are, in some part, deceiving themselves, the issue is a genuine one. We need to ask what national sentiment is, and when, if ever, its claims are valid.

Great works of art belong to all mankind,

say these apostles of internationalism; and there is undoubtedly a measure of truth in this. No one who owns a work of art he did not make has any right to destroy it (as Lady Churchill destroyed Graham Sutherland's portrait of Sir Winston), or to damage it or let it be damaged or destroyed: the same holds for objects of historical value. Private collectors have a duty to make known what their collections contain, and to provide, both for the public and for scholars, sufficient access to them. No individuals and no nations have a right to treasures which they are unwilling both to safeguard and to display (as far as the two aims are compatible).

A variety of forces, political, military and economic, concentrated a great part of the cultural treasures of mankind in the museums of Western Europe; subsequently, the operations of the market have transferred many of them to the United States. It is doubtful whether the great avidity to acquire these works displayed by the Western nations and their museums was prompted solely by the desire to benefit humanity at large. Nevertheless, with an apprehensive glance at the danger that almost everything movable will sit up in America, it is this distribution which, in the name of internationalism, the retentionists wish to defend.

A case for returning a work of art to its place of origin may be made on two grounds: that those who live there have a special claim to it; and that it is better for everyone that it should be there. In no instance is the former the sole ground; it is always a misrepresentation of the restitutionist case to treat that as its only basis. We have nevertheless to ask what weight it has: what is nationalism, and is it intrinsically bad?

We may get a first purchase on the question by considering local patriotism – that pride in particular cities and even towns that flourishes so vigorously in Italy, for example. No one who relishes the diversity of human culture, now so directly under threat, could rate such a sentiment malign. On the contrary, in itself it is endeav-

ing, and its effects admirable; as with all other loyalties, it would become malign only if it were to engender contempt for or hatred of other localities. It does not do so if it is backed, as it normally is, by a respect for the parallel feelings of others. Such local patriotism might well ground a claim for the return of some work of art that, by conquest or purchase, had been carried off elsewhere: a statue, say, which had long formed the central feature of the principal square. Of course, no one believes that every work of art produced in, say, Siena ought now to be in Siena. But it would be a great loss if Siena did not possess a fine collection of Siennese paintings, and tragic if there were none of them at all; and it would be especially sad if Duccio's Maestà, carried in triumph through the city when it was first painted, were, say, in Cleveland, Ohio.

It would be sad; and not for the citizens of Siena alone. No one can ever quite succeed in looking at a work of art as if he and it were the only objects in the universe. Indeed, he should seldom want to. A work of art is the product of a particular time and place, and cannot be fully understood save as being of that time and place. This is, of course, especially true of those works that were made to adorn a particular building, or to be used in a particular ceremony; if they have been removed from their intended setting, the viewer has to make a strong imaginative effort if he is to come near seeing them for what they are. We all carry about with us a consciousness of where we are at any moment: confronted, out of its proper setting, with a product of another culture or another civilization, we must push back that consciousness as far as we can if we are to achieve some communion with it.

Tourists and other travellers understand this very well. It applies not only to great works of art, but to humbler components of a culture – food, wine, popular music and dance. Tourists come to a particular place not so much to see and hear the finest things available there, but

to gain some experience of what is especially of that place. This is why it is impossible to separate the two grounds for returning a work of art to its place of origin: the claim of those who live there, and the benefit to all from its being in its proper place. Particular circumstances may reinforce both grounds: that the work was once an integral part of a building that still stands, or was designed for a particular spot; or that it is a fragment – part of a triptych, for example – capable of being united with other fragments to restore the original work to its integrity. The manner of its acquisition may provide an unanswerable ground of the first kind: not a few works of art in Western museums were confiscated in 'punitive expeditions', looted or simply stolen. But even an impeccable legal title to a work does not constitute a valid moral right to retain it. Strong local sentiment by itself creates a claim: not in all instances, but surely in some, a justified claim.

Why? Let us continue, for the present, to consider the claim of the inhabitants of a city, demanding the return of a work of art created in and for that city from, perhaps, a museum in another city of the same country. Why should they have more right to it than others who have no connection with it save that they find themselves in possession of it? One might answer that the claimants care for it more. Certainly we must suppose that many of them care greatly, if they are to have any ground for their claim; but, when we consider the passion displayed by some of those who defend British retention of the Parthenon marbles, we must allow that the possessors may care as intensely. It is a matter, rather, of what each cares for. Both parties, we may assume, love the work for its beauty and its historical importance. But the claimants care for what is intrinsic to it as a work of art – its location in or near the spot for which it was designed, or, if that cannot be managed, in the general environment from which it sprang and of whose history it is a part. The possessors, on the other hand, care for extrinsic circumstances: that it should be where

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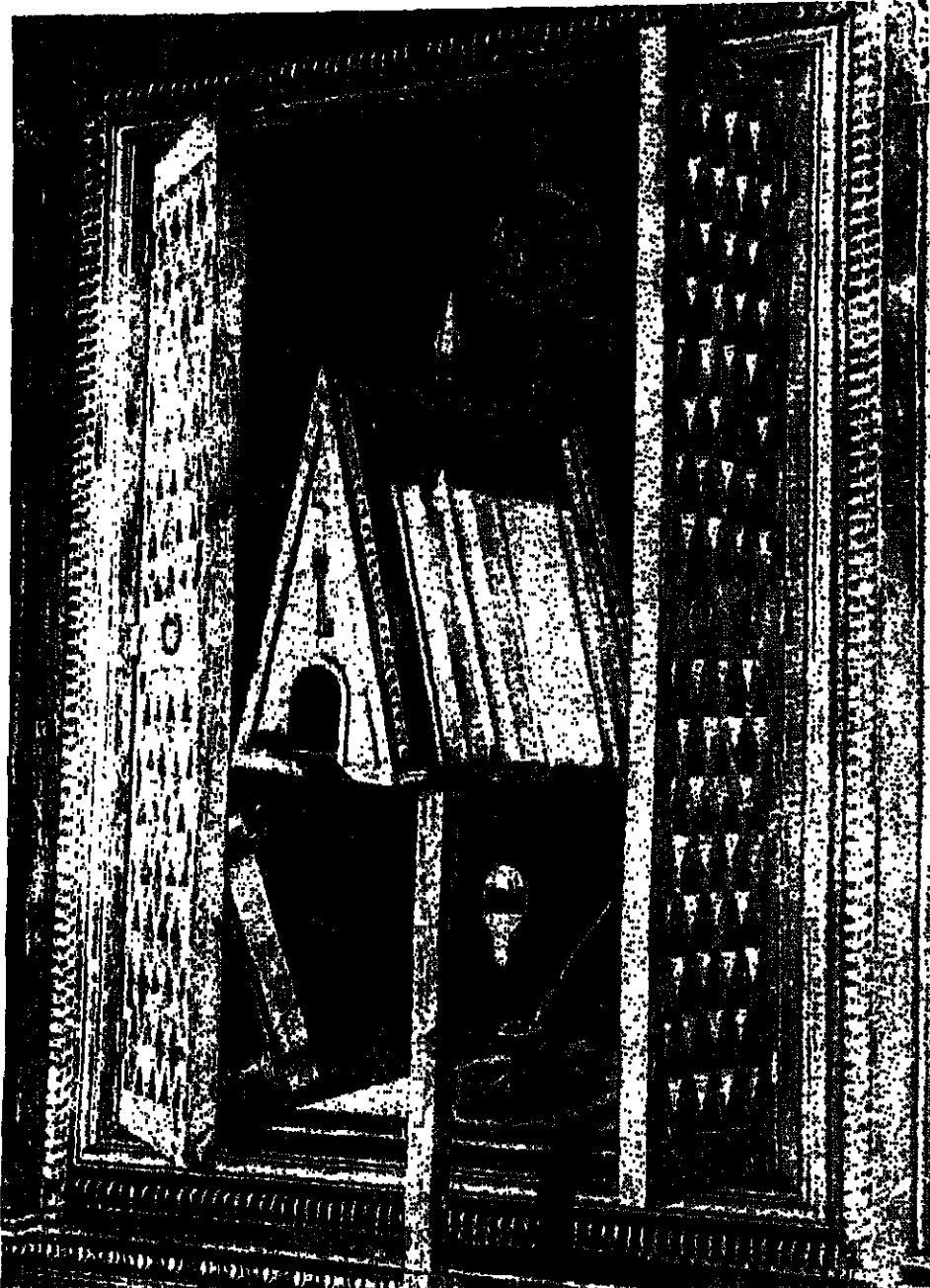
they can easily see it, or that a fine collection should not be diminished.

This contrast is pointed by the enhancement of the work of art, for all who then view it, by its restoration to its native home. It would be ridiculous to attack museums as an institution. At one end of the scale, ancillary museums house, as near as possible to their intended place, objects that, for a variety of reasons, cannot be put in their exact original position on or in a building; at the other, national collections make some of the treasures of mankind accessible to those who would otherwise never see them. Yet, however imaginatively they are displayed, the exhibits are entombed; like butterflies transfixed by pins, they no longer breathe a vital atmosphere. Their beauty may entrance us, so that the artist speaks to us across the centuries as can a long-dead writer from the pages of a book; but still they are only preserved, exquisite but lifeless, as in a vacuum. For many of the works of the past, that is the best we can do; but, if there is an atmosphere in which they would breathe once more, those who would take them there have a genuine claim on them, if not always a decisive one.

All that has been said so far is that the sentiment that attaches to a work of art as a product of a local or national culture constitutes a ground for asking for its return; but when does this become a sufficient ground? One circumstance makes retention indefensible, namely that it was acquired unjustly in the first place — by force, or from others who had taken it by force, or as a gift or by purchase from an occupying power. For the rest, there is such a variety of relevant factors that it is impossible to lay down a priori rules that would decide each case in advance. Plainly, the case for the return of detached objects, such as easel paintings, not intended for any specific location, is in itself less strong than for those that were never meant to be removed. Some objects, however, had from the outset, or have acquired, a powerful symbolic meaning for a nation or a people, in whose eyes they signify its historical identity and its continuity with the past, or are the symbols of particular national institutions; and for the return of items of this kind there is almost always an overwhelming case. But each case differs from all others, and each must therefore be judged individually.

What goes into the other pan of the scale? The museum or gallery which houses a selection of the products of diverse cultures opens windows on to space and time; and is of inestimable value for citizens of the country lucky enough to have it. There is as yet no prospect whatever that demands for restitution will be made in sufficient numbers to threaten the integrity or representative character of the museums; nor is there likely to be. There are, in fact, a very small number of demands, and it is highly probable that the great majority of them — perhaps all — are justified: if all were met, the museums of the West would indeed be deprived of some magnificent possessions, but their functioning as representative collections would be in no way impaired. In the unlikely event that it came to be threatened by a spate of demands from every side, it would become necessary firmly to refuse the greater part of them. A frequent argument for refusing all demands now is that to accede would set a precedent. If this means that we ought not to do the right thing in one case, because we should then have to do the right thing in others, the argument is contemptible: if it means that we ought to refuse just demands because otherwise we shall be pushed into accepting unjust ones, it is cowardly. It is, however, dishonest to argue, in the name of the good of mankind as a whole, as if all nations possessed museums displaying samples of the art of all times and places. Many have no such luxury; many, indeed, retain virtually none of the cultural treasures of their own past, which were shipped off in colonial days to the museums of the West. There is a strong case, not merely for restitution, but for reappropriation, a case which no one as yet has ventured to put.

In assessing a claim for the return of cultural property, we should take account not only of the strength of the claim for the particular object, but how good a collection of its own treasures the nation making the claim has. Nigerians listening to representatives of the



An inlay from the Studiolo of Gubbio. The picture is taken from Luciano Cheloni's 'The Studiolo of Urbino: An iconographic investigation' (1949, Wiesbaden: Ludwig Reichert, 3.882.26.276.1).

British Museum expatiating on the benefit to humanity of that museum's possessing so extensive a collection may feel that, however valuable it may be that it should be possible to see so many of the Benin sculptures in London, it ought to be possible to see some in Benin, too. I do not mean that it is not of value that some should be able to be seen in London. A West Indian girl, taken to the Museum of Mankind to see an exhibition of them, said with surprise, "They were very intelligent, those people, weren't they?"; their quality contradicted everything she had been given to believe, and it was of the greatest importance that she should have learned that it was false. I mean only that it is a monstrous thing that a small but creative people should be deprived of the greater part of their artistic heritage: one should not prate about the benefit conferred on mankind at large by the existence of an immense collection in London until such injustices have been remedied.

Cultures vary greatly in the extent of their deposit; those who build in wood have no ancient edifices in which to take pride. They also vary in prestige, and consequently in robustness. People throughout the world are American styles, not because they have found them intrinsically more appealing, but because American culture carries a prestige that no other possesses. In sixteenth and seventeenth-century Europe, Italian culture was everywhere invested with immense prestige: an American professor of Italian told me that very few university students could be persuaded to study his subject, because of the contempt in which everything Italian is there held. In very many of the countries that were colonized by the West, people learned to despise their own culture; and have had to strive hard to regain respect for it. For them, possession of their cultural inheritance assumes an even greater importance than it does for those who are in no danger of losing assurance of its worth. To them, in particular, we have a special obligation of justice to return what they ask for.

Is all this based upon a false premise, that national sentiment is, by and large, as benign a

feeling as local patriotism? May it not be, rather, an evil force to which we ought never to pander? The obvious difference between the two is that national sentiment plays a large role in politics, as purely local patriotism seldom does; and politicians notoriously pervert feelings good in themselves to evil ends. The distasteful connotations of the word "nationalism" are obviously due to those political movements, like Nazism, which have used national sentiment to justify aggrandizement and foster contempt for the rights of other nations. But the propensity to condemn, as "nationalism", all manifestations, on the part of other nations, of national sentiment or national pride, is a grave misunderstanding. We might, then, conclude that, while national sentiment is far more liable to be perverted than local patriotism, and, when perverted, becomes a dangerous and evil force, it is, in itself, a natural and a proper emotion, which ought to command respect; and, further, that its perversions have virtually nothing to do with the question of cultural property: the issue of nationalism is a red herring drawn across the trail.

Whatever is chosen as a basis for the sense of national identity, it is bound to be rooted in history: the history of the land, perhaps, rather than the history of a people. English people find that idea very easy to understand, because our history has always been taught to children primarily as the history of the land: Normans, for instance, enter that history with the Conquest, and what they were doing in Sicily is therefore have every right to ask for the return of cultural property, as significant to the history of the nation; for that matter, they are also entitled to speak on behalf of those who belong to the prevalent culture within the nation; for, by so doing, they in no way offend or humiliate the minorities.

It was primarily through its political and military power that the West accumulated, during the imperialist epoch, so much of the cultural riches of mankind. The operation was not merely cynical; however, but rested on an ideology: it was believed, namely, that the West was now the sole true representative of

human civilization. In the past, there had been other civilizations, which had produced great works of art; but their descendants were degenerate, and no longer cared. As for primitive cultures, they had succeeded in creating some artistic objects of a certain naive merit; but, being primitive, they could not truly appreciate their own productions as civilized people could do. Only the West remained as a centre of civilization; only the West therefore understood and cared about the works of past ages, from whatever source. Because we alone understood and we alone appreciated them, we had a natural title to anything on which we could lay our hands: native owners would probably allow it to fall into decay, and in any case were unworthy of such possessions. It was not merely generals and colonial governors who thought like this: it was the commonest assumption of scholars, too. Only that assumption can explain how it came about that whenever they could, Western archaeological expeditions did not scruple to ship back to the museums of Berlin or London or Paris whatever they had found. It did not occur to them that those living in the country in which they had been excavating had any prior claim, as more than it occurred to men planting a French or British flag upon an island that it belonged to its inhabitants; they took it for granted that only Westerners had the right to possess themselves of the treasures of the past.

Surprisingly, this attitude is not yet wholly dead. It is most often met with, in the special form it assumed in relation to Greece, in restorationist articles and speeches about the Parthenon marbles. It finds expression in insults to the Greek people, who, it appears, are not really Greek at all, but a rabble of mongrel Levantines who happen to inhabit that ancient land. Here, for instance, is Gavin Stamp writing in the *Spectator* for December 10, 1983:

Modern Greece . . . has very little connection with the nation and people who carved the Marbles . . . Modern Greece bears hardly any relation to Classical Greece . . . And racially . . . the present inhabitants of Greece are not descended from the race of Pericles . . . The southern tip of the Balkan peninsula has seen many migrations and population movements over the last two thousand years. Later he refers to "the wretched actuality of Greece in the present".

Is it not possible to argue for our retention of the marbles without insulting Greeks? The explanation lies very deep, in a whole vision of history. According to this vision, Western civilization is an invention of classical Greece. It moved from Greece to Rome, and thence, emerging from centuries of decline, to Western Europe, fully reborn, as the term implies, is the Renaissance, which very rightly drew sustenance from the classical sources. During this long history it suffered attacks from without: barbarians from the North, Oriental despotisms — first Persia and then Islam — from the East. But it survived them; Western Europe and its American extension are therefore the true heirs of classical civilization, and hence the rightful owners of classical antiquities.

This vision is, however, a gross distortion of history. Classical civilization was transmitted through three cultures, equally its heirs: Byzantium, Islam and the West. It was, for example, from Islam that the West learned about Aristotle; it was from Byzantine scholars attending the Council of Florence that the impetus came for the revival of Plato. You cannot understand the process by which classical culture was transmitted save as an interaction between these three successor cultures, with the West lagging behind the other two. Greek culture has naturally undergone much transformation in the course of its long history, and many influences have borne upon it: but it has been a continuous process, in which the Greek people has retained its identity, unlike many ancient peoples which have long vanished.

The West owes a great deal to classical Greece and Rome; so does Islam, and so, too, directly, does the whole world: but only the Greeks have the right to claim the monuments of ancient Greece as peculiarly theirs. In no instance does the meanness of spirit which informs most retentionists' arguments come so plainly to the surface as in their designation of the Greek people: if public attention turns to other claims, let us hope that they do not finally necessary to load other nations with similar insults.

Taking charge of the cultural heritage

Lyndel V. Prott
and Patrick J. O'Keefe

Suppose a citizen of Canada were to make a video recording of a film broadcast, via satellite, by an American television company. The film was made by an English company based on a book written by an Italian living in Spain. Should the Canadian be able to record the movie and then sell prints of the recording to his friends or the public? Or suppose an Englishwoman visits a friend in New Zealand. The friend, a farmer, has found some Maori carvings in a swamp on his land, and gives one to his visitor. Should he be able to make a gift of the carving? Should the Englishwoman be able to take it from New Zealand to England and there treat it as she wishes?

At first sight these situations appear to raise disparate issues. But they both illustrate challenges to traditional areas of law such as ownership; challenges arising from new technology and from increased ease of international contact.

Images broadcast by satellite may reach up to a third of the globe and be received by anyone with the appropriate equipment. Can they be said to be "owned" by anyone? A relic from a vanished past is found; its maker and former possessors are long dead. Forgotten, lost, it has existed through time till chance or deliberate search has brought it to light. Should its finder "own" it? If not, who should? The descendants, if any, of the people who produced it? The State? The world community? And what does "ownership" in either context mean? What interests should be protected by the law and in what way?

Intellectual property traditionally comprises copyright, patents and trade marks. All three are intangible but they are treated by the law as property. As working concepts they are linked by their origin in intellectual effort. The law applies to the material manifestation of human thought and is designed to prevent its unauthorised copying. Patents and trade marks operate largely in the industrial field, copyright only tangentially.

Copyright in England originated to protect the interests of book publishers. It has evolved to protect the interests of authors, not only of literary works but also of music and other arts. Today copyright is big business. In 1977 in the United States (the last year for which figures are available) copyright industries contributed some \$55 billion to the economy, or 2.8 per cent of the Gross National Product.

But copyright has its limitations. It offers protection against copying of a work, but unauthorized copying — known as "pirating" — is endemic in many parts of the world, be it of books, records or films. The regulation of copying provides authors with an economic incentive to continue producing their works. Copyright is a form of property that can be sold. It also allows the author, depending on the specific contractual arrangement, to ensure that the copying is done to his satisfaction. But where should the concept of copying end? If images have been broadcast over a substantial portion of the globe, irrespective of whether people want them, should anyone thereafter have rights in those images, to prevent further copying? The advent of the ubiquitous photocopy, video recorder and cassette recorder makes the effectiveness of copyright law increasingly ephemeral.

As a concept protecting author's rights in the more traditional areas, copyright has had great success; but success has meant that those advocating various interests have sought its use for their own purposes. This has been the case particularly with aspects of the cultural heritage, such as folklore. One of the greatest dangers to the preservation and vigour of folklore is copying, which does not preserve the inner inspiration and meaning of the original, but merely copies without building on what has gone before. On the one hand, natural development must be allowed or the living culture will ossify to become merely a relic; yet traditional forms have to be preserved or developed in the same spirit by masters of their craft or the special value of folklore will be lost. Commercialization can bring about degenera-

tion as, for example, "airport art" develops.

Copyright can only be a partial answer to these problems. Unless modified, it over-emphasizes the rights of the individual. For example, the folkloric artist builds on tradition and custom to continue the life of the community; and only certain artists may be entitled to represent or perform certain themes. Folklore can only be protected if legal controls are consistent with the role of the traditional artist, seen as a representative of the community rather than as an individual. The development of folklore is now subject to the pressures of much wider dissemination, which cannot be ignored. There is a need to prevent an individual from exploiting for his own profit skills which he has inherited from the community, to prevent those outside the community from distorting the tradition, and to protect the community's right to determine who are the proper carriers of the tradition. Copyright, with its emphasis on individual ownership, is not easily adapted to these functions.

The destruction of a single book may be regretted, but does not ordinarily mean that its contents are lost to mankind. An original painting, if destroyed, is lost for all time — there may be reproductions, photographs and so on, that show us what it was like, but they cannot convey the essence of the original. Similarly

with sculpture. In French law there has evolved the doctrine called "droit moral" — and a similar concept of "moral rights" is being considered in some common law jurisdictions. Its two most important aspects are the right to be credited as the author and the right to have the integrity of the work respected, that is, the right to prevent damage or distortion. There are also some rights of lesser importance — the right to make a work public; the right to change, amend or withdraw it; the right to reply to criticism.

French jurists saw moral rights as "natural" rights of the individual by virtue of the act of creation, as rights merely recognized by the law. Copyright, in the French system as in the English, was granted by statute. The French distinguish moral rights from economic rights and see the two as independent, capable of separate regulation. Against this, the monetists argue that copyright has a dual function and can deal with both sets of interests: the financial and the intellectual. This theoretical distinction can have practical implications, for example in relation to alienability. Copyright can be sold, and it is common for different people to own the work and the copyright. But moral rights are supposed to be personal rights, with the implication that they are inalienable. When the International Convention

for the Protection of Literary and Artistic Works (the Berne Convention of 1886) was amended in 1952, a provision was inserted to protect the right of authorship and the right of integrity. It has always sat uneasily with the remainder of the Convention. Major copyright countries — the United Kingdom, United States, Canada and Australia — have not yet fully implemented its requirements. Although many other countries have included provisions on moral rights in their copyright legislation, the modern trend is towards specific legislation for moral rights, as has been implemented in California and recommended for Australia. The main purpose of separate legislation, where it is not required by constitutional provisions, is presentational: to emphasize the non-economic, personal nature of moral rights.

While lawyers struggle to accommodate the claims of authors by adapting copyright or legislating for moral rights, other demands for legal intervention are also being made. To the term "intellectual property" (copyright, trade marks and patents), a new term — "cultural property" (stemming from a 1954 UNESCO Convention) — has been added. In turn this is being replaced by the concept of "cultural heritage", which includes both intellectual and material property of cultural significance such as folklore, traditions and rituals as well as artistic

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works, monuments and archaeological objects recognized as important, and to be handed on from one generation to the next.

This concept is so new that its content is still a matter of debate. One cannot assume that something must be very old to be part of the cultural heritage. Evidence was given in an American case that an object made, in accordance with Indian ritual, four years previously was in anthropological terms an "antiquity". But we do not want to have every object labeled an item of the cultural heritage the moment it emerges from the studio or workshop. In general cultural heritage terms, items are important because of their archaeological, historical, anthropological or artistic significance. For the most part they are unique, the material representation of mankind's past achievement. They cannot be treated as ordinary, everyday objects for, quite simply, they are irreplaceable, which is why a body of law designed to protect the cultural heritage and ensure its transmission has emerged, in which a prohibition on damage to it is a central element.

Consequently, while both copyright and cultural heritage law can apply to the same object (for example, to a sculpture by a significant artist), the former protects the copyright owner from economic damage while the latter protects the continuing existence of the object. Copyright exists for a limited number of years from the death of the author - fifty years in the United Kingdom - after which the work can be copied by anyone, in any quantity. It is significant that the evolution of copyright produced this limitation. The creator is beyond encouragement by economic incentives and the public interest is, at that stage, to have full access to the work. Moral rights, even if they survive the death of the author, for the benefit of his estate, only do so for a short period. In both fields of law the importance of cultural resources to the whole community is then paramount.

It is this community interest, already recognized in copyright law and moral rights, that is leading to the emergence of "cultural heritage" as a separate legal category. It is increasingly recognized that the uniqueness of the cultural heritage means that it cannot be treated in the same way as a bag of wheat or a load of coal. The cultural heritage, if its proper status is to be recognized and its component parts preserved, must stand as a legal category in its own right. Its needs are different from those of the traditional classes of property - in the common law, those of real, personal and intellectual property. Recognition of this is seen in the adoption of the term "heritage". Only this May the Government of the Commonwealth of Australia passed the Protection of Movable Cultural Heritage Act, 1986.

A set of legal principles governing the relationship of the cultural heritage to the present and future community which is far wider than the economic and personal interests of authors can better develop in a separate legal category designed for that purpose. A prohibition against damage, even by an owner, is one such principle. In a substantial number of jurisdictions - including Gibraltar and New Zealand - the State lays claim to all undiscovered archaeological relics, even when they are found on privately owned property. The export of items of the cultural heritage is prohibited in many jurisdictions unless a licence to export is given. The collection of items of the cultural heritage is often regulated and the treatment of those items controlled, so that, for example, restoration has to be approved by State authorities. In all these cases the owner's rights are subject to certain restrictions. An owner cannot do with an object as he wishes.

Do these developments imply that the State can oversee the welfare of the cultural heritage better than a private possessor? If the State is seen as the body responsible for providing

protection, one could go further and say that the State itself is responsible to the community at large; that the State is a custodian for mankind. While legal systems generally have not yet adopted this view, there are indications of a trend towards it: "damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind" (Preamble to the 1954 Unesco Convention for the Protection of Cultural Property in Time of Armed Conflict, in force for more than seventy States). Conventions such as the World Cultural and National Heritage Convention 1972, and world action to save various monuments, indicate a gradual recognition of mankind's interest in the cultural heritage, above and beyond the interest of the State where the item happens to be located. This is not to say that all items of the cultural heritage would be included; only those of great significance to more than one section of mankind.

There are those who reject the idea that the State should play any role in relation to the cultural heritage, or at least who would restrict its role to what they would consider the "important" items. They say that protection is ensured by the private owner's love of the object or, at a more basic level, by the fact that it has a monetary value which will keep it from harm. This ignores the fact that a portion of the cultural heritage has no artistic or monetary value (for example, timbers raised from a sunken ship). Another portion has a very modest value in these terms, such as certain ethnographical items. Contrarily, great artistic and monetary value has, in the past, led to the destruction of part of the cultural heritage, as when a statue is torn from its archaeological context. The State is in many cases not an ideal custodian but, in a supervisory capacity, it can help to preserve the cultural heritage. It also has an overview and can establish, for example, when there are few remaining examples of a particular artistic tradition. A philosophical objection is sometimes

made to the restrictions on ownership that the developing law of the cultural heritage imposes. It is interesting to compare this with the notion of ownership under copyright law. A person labours to produce an inspirational work. Under copyright it may not ordinarily be copied without authorization for his lifetime plus a legally defined number of years. After that, anyone can copy it. No one queries the ethics of this law. Yet, when the State claims title to a buried object from the past, some argue that this claim is a reprehensible intrusion into ownership. If a concept of "absolute" ownership exists, it is probably not represented in any present legal system. Even systems relatively tender of the property rights of the individual now impose substantial restrictions on landowners through planning legislation.

Copyright and moral rights protect the interests of creators. Law in the context of folklore and other aspects of the cultural heritage is seeking to protect the community's interest in preserving and passing on its material and intellectual manifestations. The community has an interest in encouraging creative individuals or groups to contribute to the cultural stock: while they are alive, economic incentives in the form of property rights are justified. But there comes a time when the creator's death has removed the point of these special rights. The work has entered into the community's general cultural resources and needs special protection, so that it can be handed on intact to succeeding generations. The emerging area of cultural heritage law may help provide it.

Are "property" and "ownership", concepts based on commercial values, appropriate for delineating rights and duties to the cultural heritage? The long-buried artefact, the tape-recording of television images, are material objects which can be owned, but the dissemination and protection of the intellectual content which they record is far more important. The current challenge is to develop appropriate legal mechanisms to do so.

An editorial impasse

Jon Silkin

Should the work of an editor be protected in quite the same way as that of an author? In particular, should an editor's transcript of an author's manuscript entitle him to establish a new copyright in his own name? The issue arises more often than many people realize, and can be unexpected.

In February 1986, Jon Stallworthy, together with his publishers, Chatto and Windus, took steps to prevent any further copies of my edition of the war poems of Wilfred Owen, *Wilfred Owen: The poems* (1985), being invoiced out of the Penguin Books warehouse. Stallworthy asserted that I had in certain poems violated the Owen Estate - of which he is one of the trustees - and further maintained that I had violated the alleged copyright of his editing (*In The Complete Poems and Fragments*, 1983).

At present, copyright law does not operate on the simple freedom to republish literary work fifty years after an author's death; if a poem or a novel happens to have been published posthumously, then the statutory fifty years applies from the date of first publication. In this respect, through a misunderstanding, I had breached copyright by reproducing certain poems first published by C. Day Lewis in his edition of Owen's *Collected Poems* in 1963. However, a more pressing question concerns the re-editing of the poems of Owen already published. If an editor proposes to publish a new edition, he or she must obtain permission from the Owen Estate. And if the new editor wishes to use a recently edited text of Owen's poems (that is, one published within the last fifty years) he must again seek the Estate's permission. The trustees of the Estate are Jon Stallworthy and John Bell; Stallworthy is also one of Owen's recent editors. Thus, no one may "improve" Stallworthy's text - that is, build on it to advantage (daring to presume such a thing possible) - without the permission of Stallworthy himself; nor may anyone re-

editing the text and reaching the same conclusions as he does, albeit independently, publish the results.

Suppose you have read the manuscript of an Owen poem and found that where the previous editor printed a comma, there should in your view be a semicolon. If Stallworthy has already printed that semicolon, you cannot print it yourself, because he might claim that you are exploiting what he has already produced with his labours. One cannot implement any of one's findings, in other words, no matter how independently one has arrived at them.

If one wished to publish an edition of Owen's poems, one would have to revert to an edition out of copyright, for example the edition of Edmund Blunden, first published in 1931. No sensible editor would want to ignore this edition; Day Lewis, following in 1963, clearly makes use of it. But of course there are many things that Day Lewis offers that Blunden did not. And again, important edition though Day Lewis's is, as an editor he took some chances with the manuscripts. In the last stanza of "Insensibility", for example, Day Lewis makes a substitution where the manuscript does not warrant it. As I read the manuscript, the stanza should run:

By choice they made themselves immune
To pity and whatever moans in man
Before the last sea and the hapless stars:
Whatever mourns when many leave these shores

Day Lewis prints "mourns in man", as did Sassoon in 1920. Stallworthy prints "moans", and so do I: which is one of the grounds of our dispute.

Editors build upon each other's work, and consider the fruits of their predecessors. But now editors of an Owen edition may neither use nor alter what Stallworthy has done. Since Stallworthy seems to believe that what he has done has been done once and for all, and that this edition precludes further change, the only change that can take place, and the only replication of any text, must involve a step backwards to a previous edition. How can this be justified?

More and more addressable

Lou Burnard

DUNCAN CAMPBELL and STEVE CONNOR
On the Record: Surveillance, computers and privacy - The inside story
348pp. Michael Joseph. Paperback, £7.95
07181 25762

If ever there was a ridiculous mouse born of a mountain it is the Data Protection Act, which finally became law in July 1984 after nearly a quarter-century of prevarication in Whitehall, although what is rather grandly termed the "appointed day" for implementation of all of its provisions is not due until next winter. It has taken Parliament one departmental committee report, one Royal Commission, two draft bills, three Private Members' bills, three White Papers and numerous official consultations to reach the point of enacting principles close to the letter, if not the spirit, of such contentious pronouncements as Article 8 of the European Convention on Human Rights. Indeed, it is widely believed that only the signing of the Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Data in 1981 finally forced Whitehall's hand; a fact perhaps worth putting into the balance the next time that Strasbourg's Eurocracies are being belaboured in the public prints.

That the present government, not notorious for its concern for liberal causes, may go down in history as the one under which the concept of a right to privacy of information was finally enshrined in legislation is almost as pleasing an irony as the fact that Mrs Thatcher's administration was forced to espouse this wettest of causes by simple commercial pressures. As the 1982 White Paper in which the current legislation was first proposed makes clear, its primary purpose is to protect the United Kingdom's trading interests in Europe, which might well be compromised by the inability to transfer information across European frontiers consequent on a failure to ratify the Convention.

Whatever its parentage, perhaps the kindest judgment on the Act with which we now have to live is that at least it means well. However honourable its intentions, its weaknesses are rapidly becoming notorious. Its provisions cover only data held in machine-readable form: one simple way of evading the need to register a database you wish to keep secret is thus simply to print it all out, delete the online copy and invest in a good filing cabinet. The mechanism by which "subject access" (that is, access to one's own records) is to be implemented is vague in the extreme; there is no right to have inaccurate data corrected or removed, even where action is taken through the courts. The powers of the Data Protection Registry itself are scarcely less well defined: violations of the Act must be stumbled upon to be detected, and what will happen when these are brought before the courts is anyone's guess. So far the chief sufferers from the Act appear to have been agencies such as Citizens' Advice Bureaux, reportedly unable to cope with the extra work of registering all their files of innocuous but protected information by the deadline in May this year.

The Act has also been much criticized for the number and variety of exemptions from its provisions. An unconditional exemption applies to data "required to be exempt for the purpose of safeguarding national security". Subject access is denied to a whole range of data, including police or taxation records, as might be predicted, but also those of other statutory bodies more or less at the whim of the Secretary of State, many of which are precisely those government departments and agencies whose information-gathering activities give upright citizens most cause for concern: the security forces, the Inland Revenue, the Department of Health and Social Security, the Customs and Immigration authorities, the television and vehicle licensing authorities. But perhaps the most alarming aspect of this "load of holes joined together" (as the British Medical Association is said to have called the bill) is that certain bodies, themselves exempt from the Act's regulatory provisions, are at liberty to force other (regulated) data holders to disclose information for non-registered purposes, without anyone being any the wiser. There is thus a sense in which this Act requires all sheep to be ready to report promptly to their local

wolf.

On the Record is more than a detailed critique of the Data Protection Act, however. It documents, dispassionately and with every appearance of accuracy, the sheer scope and intricacy of the vast accumulations of information currently at the disposal of our masters, and makes some informed speculations about their probable future. A web of databanks lies concealed behind such unlovely acronyms as LOP, NICS, NUSS, JUVOS, OCTA, COP, CODA, DCI, OPCS, IVAN, INDECS, MIRIAM, PNC and CEDRIC; in describing these and other systems, Duncan Campbell and Steve Connor also provide evidence of the extent to which their integration into a gargantuan apparatus of surveillance and control may soon be upon us. One does not need to subscribe to any form of conspiracy theory to see a disturbing inevitability in the process; it is a natural consequence of the availability of better technology, in retrospect an almost Darwinian process. The problem of integrating the disparate data files of a commercial organization is one which exercised the best brains of the computing industry during the early 1960s; the database concept, in which a computer system deliberately aims to model the entire information structure of an organization, is the fruit of that exercise. Within a commercial context, it is obviously appropriate. Whether the State's information needs should be modelled in exactly the same way as those of General Motors is more dubious.

Throughout the administrative infrastructure, clerks and filing cabinets have already been replaced by online terminals and sophisticated database systems; what is recorded, and for what purpose, necessarily changes more slowly. It would be the height of naivety to expect concern for the rights of the individual among the administrators and guardians of our society if those rights are threatened by a process which they perceive as simply helping them to do their job better. On the contrary, we can expect their mode of operation to be intensified. In whatever sphere it is applied, the computer invariably brings the ability to do more of the same thing, and faster; very rarely does it bring about a radical reshaping of the enterprise to which it is applied.

Consequently, we should not be surprised to find the DHSS reader to apply their new computers to the task of identifying "scroungers" than to that of identifying those to whom benefits are due, though both are technically equally feasible. Neither should we be surprised to find that the Police National Computer (PNC), originally intended to hold details of missing cars and persons, is also used as a repository for supposititious gossip, circumstantial evidence and speculation (the technical term is "intelligence"). What, after all, would we expect the Inland Revenue to do with a magnificent invention like ICL's Content Addressable File Store but apply it to the task of finding out people's National Insurance numbers, given only parts of their names and addresses, the better to collate information from sources (such as banks) which cannot specify a National Insurance number with those (such as their own records) which must? Once the Home Office's list of undesirable immigrants has grown to such a length as to prevent its being memorized by even the most vigilant of immigration officers, the only effective way of policing our frontiers will be to introduce machine-readable passports (due in 1987) and to use a computer (it is called IN-DECS) to finger those flagged in the Home Office's database.

Moreover, once such systems are in place, their expansion seems inevitable. Once IN-DECS is operational, the additional cost of logging every entrance and every exit of any suitably interesting subject is trivial. Once the Inland Revenue has identified your National Insurance number (the closest thing currently to a Universal Personal Indicator) it would cost very little more to recover your employment records, your health records, details of the area in which you live, and of all the telephone calls you made to Dublin last month. Given that such information will be held in machine-readable form somewhere, given that it is easier to keep it than to throw it away, given the tremendous increase in ease of communication between otherwise unrelated computers, the technical means of implementing the omni-

scient computer of science (and other) fiction are already present. The database systems of the 1960s already resemble the saurian manual systems they replaced in their inflexibility and cumbersome. The advent of really efficient free text searching systems and of deductive or "expert" rule-based systems at the front end of the next generation of computer systems will be complemented by developments such as CD-ROM, which allows several gigabytes of data to be stored in a compact disc accessible from a desk-top computer. Before technophilia overwhelms us all, we would do well to remember that however morally neutral information technology itself may be, its applications (like those of any other technology) need constant policing.

Campbell and Connor, as good crusading journalists, are not concerned with philosophical issues. The nature of technology is not on their agenda, simply its effects and its applications. Their book is primarily a pre-emptive register of data banks, including many which are unlikely to come within the purview of the Data Registrar himself. Its secondary

purpose is to make the case against all such information monoliths, a case which needs to be re-stated, perhaps a little more explicitly for the benefit of those well-heeled citizens who feel they have "nothing to hide". Their case does not rest on anecdotes, though there are plenty of these to be found, but on a recognition of the fact that errors of judgment and observation, harmless in themselves, can become lethal when given the spurious authenticity of a computer. The authors also do the Data Protection Act the signal honour of taking it seriously, itemizing those few areas in which it may have some significant effect on safeguarding civil liberties.

Despite its catchpenny title, this book is neither anecdotal nor journalistically sensational. It is, as they say, solidly researched. With its aid, the next time that you "come to the notice" of the police, perhaps by reporting a crime, or by parking your car round the corner from some political demonstration, you will at least know under what category you are likely to achieve immortality, and in what company you will be registered.

Ruritanian Residuals

There, in the re-grown jungle,
a crashed Dakota or a Zero
and skeletons in khaki shorts
to be chanced upon by mineralogists -

Fathoms down, outside Murmansk,
after the acetylene intrusion
on the door-stopped ingots,
putty, cod-soft corpses in the dark -

Metaphors of human hope,
something we should not disturb
when we try the archaeology
of reminiscence -

At the Durbar of a thousand curry houses
the British Empire seems the greatest
piece of theatre the world has ever seen,
the Gatling stuttering, the battleships in circles -

Thinking of love and duty, trying to hear
imagination's voice, the noise-floor
is too high, the Hooghly jammed with bodies,
a death-tide in the blood -

And drifting over, a cloud
of radioactive history presaging
cancer when? The spooks were always there
in Ruritanian redoubts -

If we executed one in seven
of our economists, the financial pages
would look rosier: but the curtain rises
on actors at an empty matinee -

Terrorists cannot stop material flow
or new Prep Schools appearing.
Listen in the Pleasure Gardens, that's
the Ghost Train running into Dachau -

The life of dividends, residuals
of the world's colossal comedies,
grosse Kleinkunst versus kleine Grosskunst,
nightmares of conviction -

And where to place the verbs in this?
Life has turned to pictures of us
as we were, and the Great Exhibition
plays host again to staring mendicants -

PETER PORTER

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Whose history is it, anyway?

Bernard Wasserstein

How public are public records? Recent British governments have exhibited a divided mind on the issue. Harold Wilson, for all his well-known anxiety about "leaks", consented in 1967 to a shortening of the celebrated "fifty-year rule" governing access to public records to thirty years. Mrs Thatcher is reported to have justified her refusal in 1980 to permit the publication of official histories of British security organizations during the Second World War with the comment: "When I was called to the bar, the first and best piece of advice that I received was never to admit more than you have to." On the other hand, Leon Brittan (who lost his job as Trade Secretary after admitting more than he had to) complained from the opposition front bench in 1978 of "the all-pervading atmosphere of secrecy that has for far too long pervaded British government".

The problem is of more than parochial concern: it is one of the legacies of empire that Britain is the trustee for the official records of most of her former dependent territories. Anybody who has witnessed the annual summer migration to the Public Record Office at Kew of a cosmopolitan horde of researchers from all over the world must immediately be struck by the fact that the British national archive comes closer than any other to being the world's archive.

The international character of these vast collections might be held to carry with it certain international responsibilities. In one crucial sense these are generally recognized, since access to British-held records is open to all without distinction of nationality. On the other hand, Britain retains ownership of the documents and lays down the conditions for their use. Yet, to take one example, those Greeks (and others) who urge the return to Athens of the Parthenon marbles might, on the basis of similar logic, demand the records of the British protectorate over the Ionian Islands between 1815 and 1863.

A little-known provision of the law renders this a more than merely academic issue. Under the 1958 Public Records Act (as amended in 1967), the Lord Chancellor has the right to vary the normal thirty-year period of closure. This power is often used in order to lengthen the period but it can also be invoked to shorten it, for instance in the case of evidence given to Royal Commissions and other such committees of inquiry. One example of such early release, in which records have been opened soon after they were generated, illuminates post-war British practice concerning public records and affords occasional glimpses of Whitehall's favoured techniques for keeping its (and other people's) secrets under secure wraps.

This case of early disclosure involves most of the evidence presented to the committee of inquiry into public records policy which was appointed by the government in 1978. Headed by a former ambassador to Moscow, Sir Duncan Wilson, the committee devoted more than two years to gathering written and oral evidence from government departments, official historians, interested organizations, and private individuals. The committee's report (issued as Cmnd 8204) was followed by the publication of a White Paper setting forth the government's reaction to the report's proposals, which covered a broad range of issues affecting the handling of public records. While the government accepted some of the Wilson Committee's proposals, some of its central recommendations were rejected, and the chairman subsequently pronounced himself "surprised and distressed" by the government's response.

Nearly all the evidence submitted to the committee is now freely available for inspection at the Public Record Office (record class LCO 27), the only major exceptions being some of the material received from the Cabinet Office and the Ministry of Defence. The available evidence, in particular the submissions by government departments and former official historians, constitutes a fascinating cornucopia of information on all aspects of public records policy. On four of the most vexed issues involved it sheds an occasionally piercing light on the ways (and wiles) of

Whitehall. These four issues are: destruction of documents; extended closure; the special case of intelligence records; and so-called "privileged access" to otherwise closed documents.

The Wilson Report recorded the committee's dissatisfaction with the workings of some of the procedures for selection of documents for preservation. The government's White Paper, on the other hand, complained that the report "conveys the general impression that there has been substantial destruction of valuable material, although little specific evidence is adduced to support this view". An investigation of the unpublished evidence to the Wilson Committee was subsequently undertaken by the Public Record Office. This looked into thirty-seven instances of alleged destruction and found that in thirteen the documents had not been destroyed at all, and in a further eight the decisions to destroy had been taken quite properly under the guidelines embodied in the 1958 Act. Of the remainder, nine related to records destroyed prior to the introduction of these guidelines. The Keeper of Public Records found the results of this investigation "generally reassuring".

The raw evidence to the Wilson Committee, now available in the Public Record Office, allows an independent judgment to be made on the evident difference of opinion between the committee and the government (supported by the Keeper). In one important case cited by the Wilson Committee – the alleged destruction of the major part of the records of the 1890 survey of the health of the nation – the papers have, it appears, not after all been destroyed. But in other cases an examination of the evidence yields less "reassuring" results.

W. N. Medlicott, author of the Official History of the Ministry of Economic Warfare, wrote to the committee recording his "regret" at "the, at times, large-scale destruction of documents". He stated that all the papers mentioned in his official history had been preserved in the PRO as a special class with 1,336 file references. But he added that "the rest of the MEW archives, said to amount to some 400,000 files, has apparently been destroyed, and they certainly contained information on a great many aspects of the world economy which would be of interest to future historians".

The author of the Official History of Colonial Development, D. J. Morgan, cited a number of examples of destruction of historically significant Colonial Office documents concerning Africa and the West Indies. He said that he had been "so concerned about the matter – often one or two files in an important series had been destroyed" – that he went to discuss the problem with the Departmental Records Officer at the Foreign Office (which has inherited Colonial Office records). But he "heard nothing further".

Sir Norman Chester, official historian of the nationalization of British industry between 1945 and 1951, told the Wilson Committee of a "somewhat alarming" experience. When he started work on his book, "The Establishment Officer for the Ministry of Fuel and Power . . . paraded some 200 files on the (1948) Gas Act for . . . inspection". But when the time came for Sir Norman to examine these files in detail "only a handful were forthcoming". Sir Norman related that "a rigorous search produced only a few more, even though the Secretary of the Cabinet and other big guns were brought into play. Nobody could throw light on how the files had disappeared. They had not been pruned or winnowed – they were just missing."

These submissions by respected official historians are disturbing. In fairness, it should be said that they appear to indicate only scattered instances of destruction, over-zealous weeding, or loss. But another item of Wilson Committee evidence, a memorandum by a former Keeper of Public Records, dated June 15, 1965, suggests some areas of wholesale destruction. Civil Service personal files were "destroyed 85 years from birth"; bankruptcy court records were "mostly destroyed nowadays"; teachers' personal files were to be destroyed "at age 85"; and teachers' record cards "when teacher would be 120". There is, of course, a good case for weeding out large parts of such bulky series of records; but whether future social historians will celebrate the apparent destruction of entire categories of

such records may be doubted. The Wilson Report made proposals for improvement in the system of selection of samples of so-called "particular instance papers" (with due respect for rights of privacy of individuals), but these were ignored by the government (the government's White Paper, as Sir Duncan has pointed out, did not even mention such records).

The Wilson Committee was sufficiently concerned about the destruction of historically significant documents to raise the matter in a meeting with members of the Cabinet Office responsible for reviewing Cabinet records for destruction or preservation. The officials insisted that they "knew of no case where papers had been deliberately destroyed because they could not be released. The Suez and Profumo documents were both preserved, though closed." The Cabinet Office did, however, concede that "some of the [British clandestine] organisations involved in the war in Palestine may have destroyed their records".

On "extended closure" the Wilson Committee evidence provides, for the first time, accurate official information on the amount of documentation withheld from public inspection beyond the thirty-year norm, and also some piquant details of the criteria applied in the selection of papers for extended closure, the nature of some of these papers, and the official attitudes which determine the application of policy in these matters.

The formal position on "extended closure" is quite simple. Since the late 1950s, most public records undergo two stages of review within departments, to determine whether they should be kept or destroyed. As a result of these reviews, of course, most historically unimportant documentation is got rid of. The rest is generally transferred to the Public Record Office and made available to the public after thirty years. But some kinds of records are subjected to a further "sensitivity review" (generally by retired departmental officials) to determine whether they should be withheld from the public for more than thirty years. Three broad (and, as will be seen, somewhat elastic) criteria have been publicly announced as grounds for such extended closure. These are: security of the state; "information supplied in confidence the disclosure of which would or might constitute a breach of faith"; and "information about individuals, the disclosure of which would cause distress or embarrassment to living persons or their immediate descendants". (This last criterion has been amended, on the recommendation of the Wilson Committee, to "distress or danger" – mere "embarrassment" is therefore no longer a ground for extended closure.) Once a department has decided which records it wishes to withhold from view beyond thirty years, it submits a list to the Lord Chancellor (via the PRO). He takes the advice of an Advisory Council on Public Records and then issues the necessary instrument, as provided in the Act, barring public access to the records for a specified period.

The picture disclosed by the Wilson evidence is more lifelike (though in some respects less reassuring). In an interview with the Lord Chancellor, Lord Hailsham, in May 1980, the committee were told that "initially he had tried to scrutinise the lists conscientiously, and had challenged departments over individual proposals, but it soon became evident that this was impossible. He now accepted the word of departments, and could do little better than rubber stamp their proposals." Lord Trend, a former Cabinet Secretary and member of the Advisory Council, likewise told the committee that "in some respects the Advisory Council had acted as little more than a rubber-stamp", referring in particular to their "minimal" involvement in questions of extended closure.

Since both the main organs responsible for superintending extended closure thus freely acknowledged their own impotence (although the Advisory Council has, since the appearance of the Wilson Report, given at least an appearance of greater muscle), it is hardly surprising that departments have felt able to interpret the three formal criteria for extended closure quite broadly, and to give effect to their interpretations with little outside interference. Statistics compiled for the Wilson Committee indicate the extent of the practice. The Foreign Office claims that less than one per cent of its records are withheld beyond thirty years

(though in this, as in other cases, it is not clear whether this refers to all its papers or merely those preserved after review). The Home Office reported between 20 and 25 per cent closed beyond thirty years. Other departments ranged from one per cent (Department of Education and Science) to 100 per cent (Director of Public Prosecutions, all of whose files are closed for seventy-five years). The Metropolitan Police reported 22 per cent of their records retained beyond thirty years, but this figure did not include "intelligence-related papers", all of which are withheld indefinitely.

A Home Office memorandum entitled "Instructions for Reviewers", apparently dating from the mid-1970s, includes the following categories: "Royal matters of a delicate nature: 'CLOSED (100 years)' . . . Vivisection papers", all of which are withheld indefinitely, operational tactics; telecommunications: "CLOSED (50 years)" . . . Irish Affairs with sensitive political connotations (eg, Sir Feinners [sic], 'Dynamiters' etc, etc): "CLOSED (100 years)".

Incidentally, the concern to avoid royal embarrassment seems to extend beyond the British royal family. On the basis, as it were, of a royal trade union principle, other (friendly) royals are also protected. Thus Foreign Office files relating to the conduct of the Belgian royal family during the Second World War and papers concerning the Jordanian royal family are among those withheld beyond the normal period. A glance at some of the lists of other files relating to the conduct of the Belgian royal character. They include files containing commercial information, records of courts martial, papers dealing with children and young people, census and inland revenue records, large numbers of files dealing with the last years of the British mandate in Palestine, some Colonial Office records dealing with Kenya and Somaliland, some War Office papers on Ireland, medical records, some papers of the Royal Commission on Gambling, some prison commission papers, and records of investigations of accidents to aircraft.

Intelligence records are a special case on which the Wilson evidence reveals some interesting detail. In 1967 the Lord Chancellor, Lord Gardiner, acting on the advice of the then Cabinet Secretary, and with the approval of the Prime Minister, Harold Wilson, issued a "blanket" authority permitting all intelligence records to be withheld beyond thirty years without any need for special application to the Lord Chancellor. This "blanket" is due to be reviewed in 1992. According to a document entitled "Guidance to reviewers of security and intelligence-related records", reviewing officers are instructed that "intelligence agencies' . . . records are never released to the PRO".

The Wilson Committee ascertained that the security services held "15,000 ft. of files relating to individuals". They discussed the matter with the then Cabinet Secretary, Sir John Hunt, who said that "he could see no possibility of them being opened in the foreseeable future, for even in a hundred or more years time the grandchildren of those concerned would still be alive, and the allegations they contained were so completely outrageous that he would see very great difficulty in making them public". He did, however, add that "he would like to withdraw the suggestion that such material could never be released, but simply to say that no-one has yet considered whether it could ever be released".

A great deal of evidence reached the committee concerning the records of the Special Operations Executive, the wartime organization responsible for underground activities in occupied Europe. Eighty-seven per cent of its files have been destroyed (most of these apparently at the end of the war, some of them deliberately, others by accident in the "great fire of Baker Street" – where the SOE headquarters were situated). The remaining 13 per cent were reported to be held at the Foreign Office and barred to public access. In a statement in the House of Commons in December 1958, John Profumo announced that a former SOE officer would be assigned "to advise and assist inquirers" though it was "not possible to allow members of the public to have direct access".

Sir William Deakin, himself a distinguished former SOE agent and ex-diplomat, continued on page 827

Letters

British Library Lending Services

Sir, – T.A. Birrell's argument (Letters, July 4) would be fair enough if he had his premises in the right order. However, "librarians of other learned institutions" will not be buying "fewer and fewer foreign books" henceforward; we have already been doing so for the past ten years because of financial constraint. It is, I suspect, partly because of this very fact that the British Library has taken its decision on lending Reference Division foreign books; the evidence for which will be found in loans requests made to the British Library.

Librarians don't make requests to the British Library from choice; we would all much rather buy texts; but the costs of scholarly literature in general, and of foreign books and learned journals in particular, has escalated to such a degree that these are steps we have all been forced to take.

U. M. MCKEAN.
Scottish Crop Research Institute, Dundee.

Publishing Costs

Sir, – John Kenyon, in his review of Herbert H. Rowen's book on John de Witt (July 11), deplores the fact that the new abridged edition published by Cambridge University Press costs more than the original, which is four times the length. This illustrates how dramatically the publishing scene for academic monographs has changed, at least since 1978 when the original American edition was published, and what devastating impact the print-run reductions have had. In this present case, of course, there was also the benefit of a more favourable exchange rate for sterling at that time. If anything, the Cambridge University Press edition is cheap considering all the circumstances.

For the benefit of those interested in more detail it should be said that the original edition is still available from Princeton University Press, priced at £49.

WOLFGANG WINGERTER.
University Presses of Columbia and Princeton,
15a Epsom Road, Guildford, Surrey.

Reassessing Foucault

Sir, – In his reply (Letters, July 4) to my own reply (June 13) to his poor review of my *Foucault*, Colin Gordon insists on suggesting that I overlooked Foucault's rejoinder to the strictures of Jacques Léonard against *Discipline and Punish*. How could I, since Foucault's attempt to rebut Léonard's criticisms comes in the same volume, *L'Impossible Prison*, as the historian's objections – a volume explicitly quoted both in the text and in the bibliography of my book? Unfortunately, Foucault's pedant reminder that the Constituent Assembly had already (in 1791) opted for imprisonment rather than for public forms of punishment does not in the least meet, let alone destroy, Léonard's claim that Foucault neglected the impact of revolutionary experiences such as the September Massacres of 1792 and the Terror upon the subsequent distaste for public executions. The point remains unanswered, and no structuralist taboo against *histoires des mentalités* will make it less cogent.

As for Gordon's obstinate portrayal of Foucault as a renewer of the rule of law, is it not telling that all he can muster to support such a weird view is a sentence where Robert Badinter enlists Foucault among those who see the rule of law as something that acts "as a buttressing arch of the social edifice"? If for one can't think of any major statement by Foucault showing anything remotely like a concern for "the social edifice".

Gordon rejects my description of Foucault as an anarchist because he "repudiated the ideas that all power is evil and that a society without power is possible". Yet thinking that no society can subsist without power is not at all contradictory with a low, and indeed highly derogatory view of power, which is precisely the case with Foucault. To be sure, power was for Foucault something very creative, which produces even before it represses. However, he was ever intent on denouncing power relations, uncovering their might under the masks of humanitarianism, and even knowledge.

After all, who invited us to see modern society as a carceral continuum? It is the far-fetchedness of this grim picture of modern culture which is vainly disclaimed by Gordon; and it is my own criticism of his rash disclaimer – in the face of so many sweeping statements about the "carceral" in Foucault's own texts – that Gordon has still to face.

J. G. MERQUIOR.
30 Launceston Place, London W8.

'Galileo and His Sources'

Sir, – I did not comment earlier on the reply to me of A. C. Crombie and A. Carugo (Letters, February 14) on the grounds that it added nothing except further misrepresentations. Since then I have been informed of more explicit charges of plagiarism they have directed against me.

I have now collected copies of over fifty items of personal correspondence between Crombie and Carugo and myself relating to Galileo and the Jesuits. After having informed Crombie and Carugo of my intention to place this in the public domain, and on the advice of counsel that this is an appropriate and reasonable defence of myself, my reputation, and my financial and professional interests, I have deposited copies of this correspondence with Professor Paolo Galluzzi at the Istituto e Museo di Storia della Scienza in Florence. I hereby invite any scholars who are disposed to investigate the accusations Crombie and Carugo have brought against me to examine this correspondence.

WILLIAM A. WALLACE.
School of Philosophy, Catholic University of America, Washington, DC 20064.

'The Minister and the Massacres'

Sir, – I read with interest Robert Knight's animadversions (Letters, July 11) on my reply to his hostile review of my book *The Minister and the Massacres*. Once again it exemplifies his dual approach to this distasteful subject. On the one hand, there are broad hints that my political bias and incompetence as a historian are so flagrant as to warn the reader from pursuing so rash a course as that of consulting the book itself: "I leave it to your readers to judge whether . . . Tolstoy's book is worth reading." On the other, he imputes to me errors of detail which even if correct would not contravene my central theses. In fact, it is almost invariably he who is wrong. His latest salvo provides further illustrations of this approach.

Mr Knight emphasizes afresh that I regard with sympathy the behaviour of the German occupying forces in Slovenia, claiming that my "reference to the Germans as the 'Slovenes' formidable protectors" does not appear to be restricted to one group of Slovenes only". Once again I must refer your readers to the passage from which Knight quotes, which appears on page 29 of my book. As he has now twice misrepresented the context, I am compelled to cite it in its entirety. Describing the flight of a body of refugees across the Karavanke Mountains on May 10–11, I mention in passing that: "On the road to the Lobl Pass groups of German soldiers, so recently the Slovenes' formidable protectors, were now for the most part hopelessly drunk on pillaged Slovenian *hruskovec* (slovovitz) and *jabolcnik* (apple brandy)".

Knight's repeated reference to this passage can only be designed to imply that I regard the German occupation with some degree of favour. If so, it is small wonder he is so anxious to dissuade people from consulting the text itself. My summary account of the occupation (p 19) is sufficiently brief to be quoted again in full, providing, I would have thought, a rather different impression from that conveyed by Knight.

Following the Nazi occupation, Slovenes had been partitioned between Germany and her allies Italy and Hungary. Hitler ordered Upper Carniola to be thoroughly Germanized, in the process of which some 50,000 Slovenes died in the Nazi camps. The persecution was so inhuman that even the governor of the Italian-occupied sector complained that "the German treatment of the population is actually

worse than cruel. Armed robberies and killings occur every day. Churches and convents are looted and closed." Slovene resistance to the occupying forces was correspondingly fierce, and large numbers of Germans and Italians were killed by different resistance groups.

I shall be interested to see whether Knight is prepared either to retract or to substantiate his implication that I regard the German occupation favourably.

Knight is equally at pains in his review to suggest that I whitewashed the record of the Cossacks, claiming that mine is "an account of such eccentricity [that it] has no room for the Cossacks' . . . help in suppressing the Warsaw uprising"; a charge he repeats in his latest salvo. The insurgents in Warsaw capitulated on October 2, 1944, when they were subjected to widespread slaughter and atrocities. Among the perpetrators of these massacres was the notorious Kaminsky Brigade, largely comprising ex-Soviet prisoners of war. Their conduct was so appalling that the SS itself was sufficiently embarrassed to have Kaminsky executed. It is presumably with this episode that Knight is attempting to associate the Cossacks handed over by the British in Austria in May and June 1945.

If so, he would appear to possess only the most cursory acquaintance with the historical background. Two Cossack units surrendered to the British 8th Army following the German capitulation: the 15th Cossack Cavalry Corps and the paramilitary refugee settlement known as the *Kazachi Stan*. The first had been stationed in Yugoslavia since September 1943, and at the time of the suppression of the Warsaw uprising was in northern Croatia, fighting Tito's Partisans (cf Erich Kern, *General von Panwitz und seine Kosaken*, pp 69, 120). The *Kazachi Stan* was transferred by the Germans from July 1944 to Italy, and by the beginning of October was stationed around Tolmezzo and Gemona in the province of Friuli (ibid, p 121; Hans Werner Neitle, *An deutscher Seite*, p 321; V. N. Naumenko, *Velikoe predustelvo*, I, p 93).

Knight cites Jozef Mackiewicz's book as his authority for the Cossacks' alleged participation in the suppression of the Warsaw uprising. I do not possess the German translation to which he refers, but find it hard to believe that its text can be so much at variance with that of the Polish original (*Konra*, Paris, 1957), pages 112–13 of which contain a correct version of these events.

Separated as they were by some six or seven hundred miles from the fighting in Warsaw, it is hard to see (short of the possession of advanced ballistic missiles) what "help in suppressing the Warsaw uprising" could have been provided by the Cossacks about whom Knight and I are writing. One wonders if he could be persuaded to expound this point further; or whether, as in similar instances, it may be silently dropped as he becomes better acquainted with the facts.

Knight is on safer ground when he criticizes me for not detailing depredations committed by the 15th Cossack Cavalry Corps in Croatia. But as I made clear in my introduction, lack of space on matters tangential to the subject-matter of my book (the hand-overs) necessitated brief and inescapably superficial treatment of the background. Specifically, I referred readers to my earlier book *Victims of Yalta*. There I recounted how "the Cossacks' discipline and morale had been poor" after their arrival in Yugoslavia, and that "not infrequently there were cases of rape and rough handling of the local inhabitants . . .". As is well known, the war waged by all sides in Yugoslavia was brutal, and to provide a fully balanced picture would require a book in itself. As the Cossacks' record in Yugoslavia had nothing material to do with their hand-over, it was impossible for me to devote further space to this controversial issue, which is in any case by no means so one-sided as Knight would like to persuade us.

For the rest, Knight reverts to his customary confused chewing over details whose implications are not always easy to grasp. And were all the points he makes accurate, it would still be hard to see how they would materially affect the main issue.

I confess that I do not myself understand what excites him so with regard to my continued on page 827



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COMMENTARY



Sir George Harvey, "Study of a Man with an Arm Outstretched", about 1831, which is on show in Painting in Scotland: The Golden Age, at the Talbot Rice Centre, the University of Edinburgh until August 31. The exhibition will be reviewed in a later edition of the TLS.

Change and decay

Mick Imlah

STEVEN BERKOFF (after FRANZ KAFKA)
Metamorphosis
Mermaid Theatre

The chief interest of an adaptation of *Metamorphosis* for the stage is bound to be how the transformation of the central character from commercial traveller to huge beetle is realized. Steven Berkoff, who took the insect role in the first production of his own version in 1969, has now passed it on to Tim Roth, a rising star, and the Samsa they have created together at the Mermaid, without benefit of costume or make-up, is something worth seeing. Roth's basic beetle posture is a tilted all-fours, in which the arms are crossed in front to make puny forelegs (Berkoff saw this done in a student play once, and describes it as "the one idea in my life I stole" - which will amuse anyone acquainted both with Berkoff's other Kafka, *The Trial*, and with Barault's much earlier and genuinely innovative adaptation of the same). From here, the insect launches himself about the climbing-frame set with not a single falsely familiar move, as though he has properly rethought his whole mechanism. Falls of nine feet on to his hands and knees, and of four feet on to his spine, and a series of springing back leaps from the prone position, are the highlights of a winning display of gymnastics.

Not all of the adaptation, however, is as sure-footed as this. The trouble begins with Kafka's first sentence ("Gregor Samsa awoke", etc) which seems to have been too famous to adapt or alter at all, and which is rend by the cast in awkward rotation. A more persistent difficulty stems from the nature of the story, the absence of talk between the beetle and the ordinary people: as soon as the insect's language has deteriorated beyond its early hurping joke, the adaptor is left with a thankless choice: either

too many static monologues, or an alternative focus on the remainder of the family - the Father (Berkoff himself), Mother (Linda Marlowe) and sister Greta (Saskia Reeves) - which was never designed to sustain it. The set (the raised cage of Gregor's room overlooks a line of three stools upstage) shows that Berkoff has chosen the latter: the idea with which he dignifies his choice, and it is a bad idea, is that the family, not Gregor, are the dung beetle in what Berkoff slackly calls "reality"; they tend to function corporately, on six legs, and their group twitches echo Gregor's central wriggling.

And too much of the play is usurped by the spectacle of Berkoff crushing this other beetle. His dislikes have always been strongly felt, if crudely expressed; here he takes it out (gratuitously) on the "small, paltry, bourgeois achievements" of the creeping family, things like eating and working, which are ridiculed in tightly choreographed mime sequences. When Gregor's father describes a job "at a warehouse", the single phrase is spoken arbitrarily in the voice of a moron, as though it should summon up for us a wasteland of unimaginative aspirations (more than, say, "at a theatre workshop"). This satirical puppetry seems to have deflected Berkoff from Kafka's larger purpose.

Berkoff's erratic invention does supply some memorable moments; one in particular. When, towards the close of the play, the insect is willing but too weak to go back to his room for the last time, his father, in the first instance of non-violent contact between them, bends squeamishly to lift him up. As the hopeless creature swivels on Berkoff's arms in a brilliantly unlikely posture, a ghost of tenderness passes through their movements, though one is only helping the other to (please) die; and their upside-down perversion of an embrace is suddenly an emblem for all the obscure pains that pass between fathers and sons.

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Ranting right and left

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PAM GEMS
The Danton Affair
Barbican Theatre

An old Polish play has been dug out after nearly sixty years and performed in English, twice, in two different media and with two entirely different interpretations. Andrzej Wajda's film *Danton* was inspired, apparently, by his reading Stanislaw Przybyszewski's vast play, *The Danton Affair*. In the film, Georges Danton is the perfect middle-class revolutionary, eloquent, glamorous, idealistic. He is sent to the guillotine by a ruthless bureaucracy which has grabbed hold of the revolution and destroyed it. The film was a great comfort to those who hope that all revolutions devour their own.

This had little to do with the views of Stanislaw Przybyszewski. "I am still more deeply in love with Robespierre than I was five years ago", she wrote in 1929. "No one has ever had such a decisive influence on me as that man, thanks to whom I discovered morality - the highest spiritual concept of humanity."

Her play, which would last for five and a half hours if performed in full, deals with events in Paris in March 1794, when the revolutionary leaders were besieged by calamity. The English armies were in the South. Food supplies to the cities were cut off or withheld. The merchants and business men who had joined so enthusiastically in the revolution of 1789 were now thoroughly frightened of it. The committees and the communes, they argued, were controlled by people without wealth, breeding or formal education.

Robespierre, one of the very few political leaders in all history who could read political events as they were happening, saw the danger of a civil war which would, he believed, put an end to the revolution, and identified the main threat as coming from the Left. He threw his mighty influence in the Committees and the Convention against those leaders who argued for more terror against wealth and property. Hébert and Chaumette were executed and their democratic Commune effectively dismantled. Robespierre then turned to the Right. For a moment he was tempted by an alliance with Danton, but when he discovered

that Danton was interested only in consolidating power over the people in a duopoly, Robespierre returned to his revolutionary commitment. "I was not made to rule", he once said. "I was just made to combat the enemy of the people." He moved at once against the Right. Danton and some of his associates, including Robespierre's old friend, Desmoulins, were tried and guillotined. However, Robespierre realized that, with the Left already decapitated and the Commune emasculated, the Reaction would get him in the end. He followed to the guillotine four months later.

All this is the stuff of high drama. Pam Gems, who wrote the version performed with typical gusto and splendour by the Royal Shakespeare Company, admits that she was tempted to write a completely new play. Perhaps she should have done. She does not seem at ease with the original author's main themes - her love of Robespierre and her hatred of Danton. Gems tries without any success to rescue Danton from the pit into which Przybyszewski quite properly chucked him. Despite heroic performances from Ian McDiarmid and Brian Cox, the characters of Robespierre and Danton wilt under the different interpretations of the two authors; the minor characters disappear altogether. Only Philippeaux (Julian Curry) emerges with a independent personality. The subtle political differences between the different members of the Committee of Public Safety are glossed over. When the Food Minister Lindet (Richard Conway) tells his colleagues he is not signing the order to arrest Danton, he surprises us, since we have hardly heard a cheep from him until then.

The play works better when the conflict between the two main characters reaches its climax. At a famous dinner, Danton proposes Robespierre that they join together as joint rulers of France, and so disgusts the man he thought he could seduce. But when the die is cast, as it is from that moment, the pace of the play slows to a stop. Almost all the second half is engulfed in rant. They rant in the Convention, they rant in the Committee, they rant in prison and they rant in court. Desmoulins (Tom Mannion) stops ranting only to sob, which is worse. When he and his fellow-ranters are finally taken off (ranting) to the guillotine, there is an audible sigh of relief. Neither revolutions nor revolutionaries are sustained by rant. Nor are plays about them.

A beery night at the Beefsteak

Pat Rogers

NICK DEAR
The Art of Success
The Other Place, Stratford-upon-Avon

Hogarth, you see, has this problem with his nerves, as he tells Fielding: "I know you're my mate 'n all...". The opening sequence of Nick Dear's ambitious recreation of the artist's progress plunges us from darkness into nightmare clarity, as Jane Hogarth sets about her husband's balls with the dressmaking shears. But it's only a dream - isn't it? Too sophisticated to settle for routine naturalism, too dramatically naive to achieve the informal realism of poetry, *The Art of Success* hedges its bets and jumps unconcernedly from fantasy to farce, from melodrama to sermonizing, from caricature to rhetoric, from history-painting to the comedy of pisspots.

The play certainly has its moments, but they are mostly about twenty-five minutes apart. Narrative is the first casualty, and plausible character cannot hold at the centre - though this is not really the fault of an energetic Michael Kitchen. At one point Hogarth is set against Fielding as the representative of "success", commercial nous and low cunning, where the playwright embodies commitment and a disdain for mere art. But this notion fades like all the others: Nick Dear gives us sixty-six authorial ideas in search of a character. Big themes - property, political stability, communication - drift through the text, only to be dissipated by the easy bathetic line from wide-boy Hogarth - "It's got to be an ear-

ner... I've flogged some shit." Fielding tops with a paper cup in his hands, Walpole reflects on his battered public image, some good jokes are followed by startling *coups de théâtre* as Hogarth works off forbidden urges on whom after a beery night at the Beefsteak Club.

Some of the best scenes involve characters lifted from the artist's canvases. The bawdy Mrs Needham, given a wonderful bourgeois vulgarity by Dilys Laye, turns prude and steps straight into Hogarth's "Morning" piece in Covent Garden. Sarah Malcolm for some reason is rechristened Sarah Sprackling, one of the minor divergences from the record that do no harm but scarcely make for the grand "liberty-taking" with history that the author promises. Susan Porrett makes good capital of a bedroom scene between Queen Caroline and Walpole; the Queen spouts bluestocking phrases, in a cardigan and a coronet that looks to be hiding curls, and permits herself the odd hint of later female royals. Joe Melis, who looks very like the real Fielding, is cast as a cynical, cerebral Walpole: not altogether a travesty, and a performance which does at least give this one figure a clear identity amid the history lessons.

The Art of Success tells us that this was a bad quarter of an hour in Hogarth's life, and then suggests that such neurosis was really the state of England in an entire decade. The second equation requires a deeper exploration of the first. Far from progressing, Michael Kitchen in the title role has nowhere to go, and the play has to survive, agreeably enough, on its fringe events and assorted turns from the fairground of history.

Transforming a super-rake

Lois Potter

APHRA BEHN
The Rover
Swan Theatre, Stratford-upon-Avon

The Swan Theatre's policy of providing an acting text as part of its programmes has produced confusion in the case of John Barton's production of *The Rover*, which was evidently being rewritten almost up to the first night. What you get is neither Aphra Behn's original text nor the performance text (Behn plus Barton plus bits of Thomas Killigrew), but a version dating from half-way through rehearsals that (maddeningly) gives no indication of which lines are whose. What it does show, however, is that the production's history was one of progressive loss of nerve.

On the one hand, there has clearly been an attempt to make the play more serious: it has been moved to the West Indies and there are reminders that many of the carnival revellers will be slaves again when Lent comes. On the other hand, the production style is pure Restoration Rump. The excellent cast dash madly across the stage in various stages of disguise and undress. Hugh Quarshie's sympathetic Belville pursues a mistress who has been transformed into a comic sex symbol, always about to lose her clothes or her honour. Blunt, a caricature of the Englishman abroad, spends half the play dressed in nothing but a pair of frilly drawers. By the end, all sense of time and place are lost, and it doesn't even matter that the cavaliers of 1654 are drinking a Jacobite toast.

These devices suggest awareness that the play's original context is both crucial and irrecoverable. *The Rover* is set, nostalgically, in a pre-Restoration past, when loyalty to the king could make up for other kinds of disloyalty. But Behn takes a historical perspective on it through her use of another play, written while that past was still present. In one of the most striking episodes of Thomas Killigrew's *Thomazo, or the Wanderer*, the play on which *The Rover* is based, the courtesan Angellica advertises herself with a Van Dyck portrait. Killigrew himself had been painted by Van Dyck before the war, and his self-portrait in this play is equally glamorous. In adapting it for audiences in 1677, Behn not only gave it a carnival setting (thus, perhaps, equating the anarchy of holiday with that of the Interregnum), but also transformed the character of its hero, now called Willmore.

A compulsive womanizer and thus, by necessity, a compulsive liar, Willmore is also a ludicrously inadequate one. This may be a view

of Killigrew; it is also the result of a skilful grafting of Molière's *Etourdi* on to Killigrew's super-rake. His quotation of Lovelace's "Scrutinee" associates him with the ideal cavalier of the earlier age, while, as Maureen Duffy has pointed out, the name Willmore echoes that of the most famous contemporary rake, John Wilmot, Earl of Rochester, whose real-life mistress, Elizabeth Barry, was playing the part of Hellena in the first performance. Hellena, who is entirely Behn's creation, insists on marriage before sex. Otherwise, she tells Willmore, she can look forward to "a cradle full of noise and mischief, with a pack of repentance at my back".

Both Killigrew and Rochester had in fact traded on their charms by marrying heiresses, and the most provocative element of Behn's play is its constant linking of sexual and financial relationships. The puritanical Blunt is outraged at the courtesan Angellica, who openly sells herself for a thousand crowns a month, but what annoys him is not the prostitution but the price. Willmore claims moral superiority over Angellica, because "Poor as I am, I would not sell myself" (Behn's line, not Barton's), but she points out that this is precisely what men do in marrying heiresses. When she falls for him, she not only waives the thousand crowns but gives him money, thus effectively turning him into a prostitute. His attempt to end their relationship gracefully by returning what's left of the money (a detail which Barton cuts) enables her to reject him with dignity, while he pairs off with his heiress.

Barton's casting of a husband-and-wife team as Willmore and Angellica suggests that he sees theirs as the truest relationship in the play. Since Cusack is rather hampered by the curious accent with which she has been landed, while Jeremy Irons matches Willmore the male equivalent of a dumb blonde, lovable even when he is throwing up into someone else's hat. The production doesn't really provide a context for their scenes together, where Behn has given both characters real arguments and real pain. Luckily, the scenes between Willmore and Hellena, the high points of this production, owe almost nothing to Barton. Imogen Stubbs is both funny and touching in the utterly honest selfishness of her demand for happiness, which matches Willmore's own.

The Rover, in this revival, is just what you might expect from Britain's first professional woman playwright, especially if you know that she also wrote a novella about a noble African slave in the West Indies. It is not the play Aphra Behn wrote, and its attempts at introducing feminism are something of an insult to her. But it works theatrically. It would have worked even better if Barton had left it alone.

The contrasts of convention

Jonathan Keates

G.F. HANDEL
Teseo
Sadler's Wells

Each Handel opera creates its own particular problems and areas of interest and *Teseo* is no exception. Like that of its predecessor *Amadigi*, its libretto, adapted here by Nicola Haym from Philippe Quinault's original, represents an uneasy synthesis between French *tragédie lyrique* and Italian *opera seria*, its areas of structural fudging and uncertainty redeemed by the brilliance of the score. Besides this, the work's centre of dramatic interest shifts soon enough from the conventionally contrasted couples, Teseo and Aglæa, Arcane and Clizia, to the sorceress Medea, an irrepressible disturber of the peace whose attempts at demolishing the proposed harmony are thwarted only by the appearance of Minerva's priest in the penultimate scene.

First performed at the Queen's Theatre in the Haymarket in 1713, the work was given its earliest complete modern rendering last year in a version prepared for the English Bach Festival at Covent Garden. Lina Landani's ardent championship of Rameau may explain her choice of Frenchified Handel for a tercentenary offering, and few of the work's more

obviously Gallic touches, such as the bantering duet in Act Two, where Medea and Egeo cynically resign each other's affections in favour of more tempting bait, were lost on the audience.

Tom Hawkes's radically traditional production makes the strongest possible case for Handel in the theatre, and loses none of its effectiveness in transferring to the smaller stage. Gesture and movement are kept to a minimum: whatever distraction might be called for is provided by Terence Emory's painted backdrops and the nodding plumes, buskins and paniers of the costumes.

The score features more original music than Handel's earlier London operas, its rewards being handed to singers and orchestra alike. As Aglæa, Marilyn Hill Smith makes less impact than Sandra Dugdale, whose soubrette liveliness as Clizia has an entirely appropriate comic edge to it. Helen Walker sketches a Teseo more pensive and vulnerable than heroic, while Michael Chance makes what he can of having Egeo's senile passions. The Medea on this occasion is Claire Primrose; less of a Carabosse than Sarah Walker last year and thus more inviting to our compassion in her erotic decline, portrayed in some of Handel's boldest treatments of the aria and recitative forms. Nicholas Cleobury's orchestral direction is exemplary both in its pacing and in its absence of that fussiness to which modern baroque bands are sometimes prone.

Voices from Eden

Wilfrid Mellers

GEORGE GERSHWIN
Porgy and Bess
Glyndebourne Festival Opera

Since the great divide between art and entertainment established itself during the nineteenth century, perhaps only one composer has with total conviction crossed the barrier between the world of commerce and that of great art. George Gershwin's contributions to Broadway's 1920s stereotype of the pop standard recurrently reveal truth at the heart of cliché; but that he should have graduated from there to fairly grand opera - after this performance one is tempted to say to one of the handful of great operas created in this century - can be attributed only to the electrical force of genius. Part of this lay in his ability to recognize his essential theme when he lighted on it.

Dubose Heyward's novel *Porgy* deals, somewhat artily, with Negro life in the tenements of South Carolina, near Charleston. From it Gershwin and his clever brother Ira fashioned a libretto for a fully fledged opera exploiting an interplay of speech, recitative, arioso and (pop-standard) aria, and exhibiting a musical-theatrical craft rivaling that of Puccini, or even Verdi. Within the sophisticated harmonic and orchestral textures - like Duke Ellington's, they recall the potent nostalgia of Delius and Ravel - Gershwin finds scope for elements stemming direct from black folk traditions (the street calls, the funeral wakes and festive junketings); and above all from the blues, which Gershwin understood more intuitively than any art composer, thereby tinged with a darker veracity the haunting memorability of his tunes. Art and entertainment are one, in a tale about oppression, alienation, corruption, and the inviolability of a radical innocence of spirit. Though Gershwin was not, like his Porgy, a physical cripple, he was a psychological cripple: an archetypal White Negro, a poor boy who made good, a Jew who, knew about spiritual isolation and had opportunity enough to learn about corruption. Through these hazards he preserved, like Porgy, an innocence, which shines through the radiant "Summertime" lullaby that opens the opera with a vision of a childhood Eden "safe from the wolf's black jaw and the dull ass's hoof". It is still present at the end when Porgy, having grown up through the anguish of his love for Bess and his confrontation of Crown's evil, sings his heart-rending lament "O Bess, O where's my Bess", before he tumbles off in his go-cart (omitted in this production) to seek his beloveds.

The four central characters become, in Gershwin's music, palpable flesh and blood, their tragic destinies intertwined. The overwhelming power of the new Glyndebourne production centres in these characters' gloriously uninhibited voices and the physical presences, which belong simultaneously to a black folk world and to disciplined art. Willard White as the maimed hero evolves from pathetic vulnerability to heroically potent dignity; yet reveals his tragic fallibility in that he grew up to confront Crown's violence only by resorting to it himself; murdering Crown to Crown's own music. Bess's alternative lover, Crown, is Porgy's tenebrous *alter ego*: Porgy's guileless nobility and Crown's dark passion ought to be one, since both are necessary for maturation. Gregg Baker's Crown is magnificent alike in voice and in physical stature: no mere villain, but a life-force, however perverted. What pervert him, and prevent him from attaining harmony with Porgy, are the non-values of commerce, prostitution and Sportin' Life, whereby savagery becomes callous and innocence itself savage. Damon Evans's interpretation of Sportin' Life is unanswerable. He is usually taken as a comic if sinister character, his music half-sung, with frequent resort to falsetto. Evans sings the part in a tenor no less superbly uninhibited than Porgy's and Crown's basses; and when once we have heard it that way, we recognize its inevitability. For his potency too cannot be gained. Though a snake in the grass (his figurations are often serpentine), he also utters unpalatable truths: primitive supersti-

tions *ain't* necessarily so, and the industrial New York to which he lures Bess, and in which she presumably finds death rather than the good life, is and must be the future.

The victim, between these three male forces, is of course Bess, the eternal feminine principle unable to come into her own because those forces cannot, for whatever psychological-sociological reasons, attain equilibrium. The part is difficult, because Bess must seem both victim and heroine. Cynthia Haymon hits exactly the right balance, combining a sophisticated voluptuousness of voice and appearance with an innocence teetering between Porgy's broken "goodness" and Crown's implacable "badness". Among the minor characters, many of whom have fine, by no means peripheral, music to sing, there is no weak link. Harolyn Blackwell as Clara, Cynthia Clarey as Serena, Mervin Wallace as the edenic honeyman contribute musical-theatrical cameos which reinforce the psychological tangle of the central protagonists. The magical street calls are thrillingly sung by Maureen Braithwaite and Colenton Freeman; while the large, resonant chorus has no problems in mating Gershwin's art to the exuberant folk traditions they represent.

To make such complex forces melt together called for a presiding genius worthy of Gershwin's. There he is in the person of Simon Rattle, who understands the score because he loves it. Under his baton - and given the power of the black voices - there is no chance of the orchestral textures, sometimes considered overblown, getting out of hand. Trevor Nunn's direction - impressively abetted by John Gunter's ingenious set, Sue Blane's costumes and Charles Augin's apparently spontaneous choreography - achieves wonders with such large forces on so small a stage. At the end, the production offers another modest stroke of genius. When Porgy hobbles off into the opening sky we can take this either as a physical death, since he will never reach New York, or as an act of restitution, in psychological terms. For the opera is not really about "poor black" folk in the Deep South but is a parable about the nature of American (and our) civilization. Porgy's credulous nobility, Crown's ruthless courage which fears neither God nor man, Bess's divided passions, are all human characteristics, alike in strength and limitation. Porgy and Crown are forgiven for their murders, Bess for her defection; even Sportin' Life is forgiven for being what he has to be. Gershwin also forgives us, in so far as he "stands for" a lost, alienated race. Significantly the few white people in the opera - police, lawyers, and the like - are restricted to clipped speech that never aspires to song.

We cannot know what would have happened had not Gershwin died two years after the first performance of *Porgy*, at the age of thirty-nine. Was this the beginning of a career as a creator of major operas? Or had he, in so comprehensively embracing his and our essential theme, shot his bolt? In any case his death, if still premature, has a certain experiential logic; we remain grateful for the catharsis which it and his opera irresistibly effect.

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Reasons to be late for breakfast

Lesley Chamberlain

REBECCA WEST
Sunflower
276pp, Virago, £9.95.
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The image left by Rebecca West when she died in 1983 was of an unflagging and fearfully witty intellectual woman: her talents were not best served by fiction, but she was an outstanding critic, wrote vividly on classical history and contemporary politics, loved Russian literature, knew psychoanalysis first-hand and was invariably on target when observing social manners. The ease with which she would leap from one to another of these and other realms of expertise was daunting.

Publication of this unfinished novel mercifully eases the pressure of that warrior-like reputation by revealing the personal fears which dominated her early thirties. Unmarried after a punishing ten-year affair with H. G. Wells and a disastrous Christmas in New York in bed with Beaverbrook, West had concluded that her mind frightened men away, even, in the case of the newspaper magnate, reduced them to impotence. The very vitality which made her attractive on the page seemed to endanger her chances of happiness. She complained that the thinking life undermined her physical appeal and her ambition to be a wife.

In 1925 her fears of her "ordinary" feminine aspirations began to emerge in a self-consciously stupid fictional alter ego called Sunflower, to whom she gave the problems of her unspiced self to solve. The novel *Sunflower* is, to the extent of that large inconsistency, and because of its borrowing from the characters of Wells and Beaverbrook, autobiographical. Sunflower is, as Rebecca once was, an actress. They are both beautiful women who for many years have been illicitly attached to dry and ageing intellectual bullies. Belittled by the rich Lord Essington, who has the traits of Wells, Sunflower is us charmingly puzzled about the art of living as her creator. Then she meets Francis Pitt, a millionaire politician who resembles Beaverbrook. Pitt is not content with the formula of hard thinking and public service which has made disappointed men of Essington and his kind. He is looking for love and the right way to live. His powerful presence awakens in Sunflower a stronger self, and releases her from the kind of self-destructive muddle Wells appears to have inflicted on West.

The novel is a mainly ponderous account of how the two potential lovers become aware of each other, against the background of Essington's deepening disillusion at having missed

something in life and the galloping consumption of Pitt's friend, another wasted political man. For some fifty pages, in which the new couple exchange signs of restrained passion, the narrative becomes tensely erotic, and commands attention by virtue of its sustained inwardness and intensity. The rest, which substitutes for action, and has been mainly borrowed from real events, is tediously paced and lingers over much extraneous detail.

The historical, feminist angle of this novel is probably its least interesting feature. Sunflower is the epitome of a socially dependent woman. Her liaison with Essington makes her worry over her security and her reputation if ever she were to break loose. When she starts to discuss Pitt, her girlfriend immediately urges her to press for marriage. The girls are much concerned with "being alright for life". Their world is marked by snobbish social rigidity, with which they collaborate.

Victoria Glendinning in her brief afterword stresses the value of publishing *Sunflower* as an autobiographical document. But it also helps to show why West was not a superlative novelist. The good reporter in her is detrimental. The tedium of *Sunflower* is not much worse than that of the last novel published in her lifetime, *The Birds Fall Down* (1966). Both lack the simplicity and directness of her best piece of fiction, the earliest, *The Return of the Soldier* (1918). Strikingly, the scenes and imagery in *Sunflower* lack poetry. When West dwells on nature she kills it off with either dead or purple words. She is too fond of naming and analysing the things which move her. Yet what she has written here will stand as a completed work. There is no need, except for biographical reasons, to underline the different courses which West's life and her notes for the novel took after Pitt/Beaverbrook let her down. The novel turns a full circle when a despairing Pitt asks Sunflower how to live and she is able to say tenderly: just get on with it. That point is important, because it shows where West's mind departed wishfully from her experience and continued to suppose romantic love possible.

West said of art in her biography *St. Augustine* (1933) that "by analysing experience it makes us able to handle experience and increase our hold on life". That view, taken to an

extreme when her hold was failing, is another reason why *Sunflower* is not successful as fiction. West was struggling with emotional values rather than with the problems of good writing. Her chief creation was a moral balance sheet. Sunflower is stupid insofar as she is emotionally and sexually a child, but as a trenchant and philosophical woman student of Christianity, she sees the world in binary moral and aesthetic terms. The modalities plague her. Should one be spontaneous or restrained? Cultivate taste and intellect or seek happiness? Use alcohol or abstain? View sex as a show of love or depravity? Essington has trained his little woman in the way of cold refinement, with the result that she is pathologically passive both in and beyond the bedroom. She fears using the ordinary words and class-distinctive expressions which spring to her mind, and feels cut off from common happiness. She has no sense of a strong and thrusting inner self until she meets Pitt, an earthier, more adventurous man, physically ugly and lacking in taste, but with alluring power and mystery. She finds him "self-possessed and male". Sex is transformed from being "a golden cloud" to being "a darting line of light".

The sexual unknown here has a jerky feeling of emotional reality about it. Pitt looks at her over the rim of the cocktail glass, and it strikes her that "his mind had had some comic postcard stuff about kissing in it". "It occurred to her, and the suspicion strengthened as she crossed the hall and felt him snort with a silent chuckle and brush against her as they got into the dark part outside the dining-room, that quite possibly he might be cheap and common when he made love." This kind of writing, the product of the emotional and sexual immaturity and social hypocrisy Sunflower embodies, seems close, today, to a Carlandesque teetering on the brink - faintly titillating. Sunflower's solitary ecstasy waking in bed, thinking of Pitt and caressing the body she has in store for him, has a more individual ring and marks the beginning of her independence. She comes to realize that manipulative coldness is the lower depth of vulgarity, not Pitt's suggestive chuckle.

The transition from Essington to Pitt establishes an ideal moral pattern. Moving away from the repressive lover who is an inwardly failed man, Sunflower follows a Tolstoyan trail

of dislike, seeking an escape from the false, over-rational, over-civilized life. She finds the solution in the truer world of Pitt, where she imagines sex is possible as a pleasure and a function of the self. West retraced the steps of St Augustine and noted the similarities with Tolstoy, but unlike her mentors she was for some time, and perhaps never ceased to be, enchanted by the romantic solution.

Glendinning points up an interesting feature of the manuscript, in that West used the same notebook to write this novel and to log the results of a psychoanalysis she underwent in 1927 in order to try to understand her sexual problems. The psychoanalytical experience may account for why the imagery is so peculiar, as for instance when Sunflower has a vision of being a fallen statue, of flesh rather than stone, over which thousands of visitors are walking and when Pitt appears to her in a white canoe, paddling towards the shore with provisions.

One would hope that in the years to come which will see much critical industry around Rebecca West, she will be approached mainly as an entertaining and extraordinary mind. *Sunflower* has characteristic instances of her social wit ("Men are so queer, you could not tell in what direction they would fall you next, and of her outstanding gift for translating between the abstract and the practical.

Its intriguing confusion of voices throws light on both her intellect and her life. Sunflower touched to find Pitt still hoarding his school prizes, but the comment is West's, attributed to Essington: "The idea of giving any prize seemed absurd... in itself in view of the inadequacy of all human effort to cope with the human task. It was as if instead of building an ark Noah had met the warning of the flood by holding a swimming gala." With a remark like this one wants to know how much of herself she put into Essington, and how much she ran for the intellect she shared with Essington-Wells.

Glendinning's afterword speaks blandly of the "frustration" of "a person who felt, rather than a rational person", but her official biography will surely go deeper. In all likelihood the feeling and reasoning realms were mixed, in the way West herself came to understand what she spoke of ideas as "symbols of relationship among real forces, that make people late for breakfast".

from the popular press. Twice-widowed, she honours the anniversary of each husband's death by turning the other's photograph to the wall, and continues to eke out a living by reading out dilapidated rooms to a motley crew whose habits include body-building and the importation of Arab youths via the fire-escape. All are occasionally united in complaints about Mr Patel, an industrious shopkeeper and enthusiastic cook. "He takes none of it seriously and has come to look upon these ineffectual legations as challenging social events."

Despite the threat of relocation, they carry on much as they have always done during the nine years that the narrator has been parted from his wife. Little of what they really get up to is mirrored in the crude outlines of a temporary mural with which a community artist, supervising a gang of the unemployed, fills a cemented-over end-wall. While Mrs Devine vies with Mr Patel for a flattering likeness, their schemings and rivalries are recorded with unblinking wit and good humour and a relief for the grotesque, whether the intricacies of suicide or a visit from a leaflet-waving "social scientist". He, the author of *The Despair of Dislocation*, asks what they feel. "Despair" replies the body-builder.

The fun is given a sinister edge by the narrator's increasingly violent dreams, all of which involve the protracted murder of the splendid landlady. Such a troubled subconscious, we conclude, is the legacy of an acrimonious marriage during which his wife, urged on by her mother, allowed her affections to be dominated by the demands of dog-breeding. From elements as disparate as these Edric has made a novel whose frequent changes of scene are given coherence by a sure sense of comedy, which evokes as credible and effortless a picture of an embattled England as do the slowly unfolding pages of *Across the Autumn Grass*.

either of them, but for all that they illuminate other lives in a way which, moving between elegy and farce, straddles race, time and place.

In Armitage's first novel, an incident from the Second World War home front hung over the news that the narrator's son had been killed while serving in Northern Ireland. All the historian's problems - his own and those he is chronicling - in *Across the Autumn Grass* are haunted, and made trivial, by events in France sixty years before. An old man, Tom, distant from everybody around him, tends the war memorial with obsessive diligence while the narrative, interspersed with reminiscences of grotesque parties and college life, gradually leads up to George's revelation of what happened to them, and their friend Johnny, in the trenches. No sentence jolts, while the rain, confidently predicted in the pub, holds off. The restraint manages never to weary, and the ending has all the shock - and relief - of the accompanying downpour.

The unease which one is continually aware of beneath the surface of that idle summer bubbles up throughout *A New Ice Age*. It has rained continually since the end of November. It is raining now. The meteorological experts have forecast a hard winter and have warned against its likely consequences continuing into the new year. This is as explicit as they are prepared to be. In the house we are indifferent to the news. Here, our concern at what is happening expresses itself in other ways.

The device of filling a house with a bunch of vociferous odd-balls and wastrels is a familiar one, and here it works to even better effect than it did in *Winter Garden*. (Edric favours titles that echo those of an older generation of novelists.) At first glance, an ice age might suggest some political perspective, an allegorical statement about Britain today. In fact, it refers to one of the many items of dubious scientific lore which Mrs Devine has picked up

Holed up in history

Christopher Hawtree

G. E. ARMITAGE
Across the Autumn Grass
215pp, Secker and Warburg, £9.95.
0436 018403
ROBERT EDRIC
A New Ice Age
148pp, Deutsch, £8.95.
0233 97895 X

"Lord - How tired I am of being caged with Aldous, Joyce & Lawrence!" wrote Virginia Woolf to Hugh Walpole when *The Waves* appeared simultaneously with *Judith Paris*, and was duly compared and contrasted. "Can't we exchange cages for a lark? How horrified all the professors would be!" Be that as it may, the notes beneath identical jacket photographs record that *A Season of Peace*, by G. E. Armitage, and *Winter Garden*, by Robert Edric, both published last year, were the authors' first novels, Armitage choosing to live in North Humberside and Edric in East Yorkshire. They are one and the same man, and here are two more novels. Such an output is all the more remarkable for giving the impression neither of Gissing-like sweat nor of one author engaged in a relaxing side-line. Armitage and Edric inhabit their own worlds, which remain distinct whatever common themes one can detect in their latest works.

While the unnamed, divorced narrator of *Across the Autumn Grass* struggles to write a history book in a Lincolnshire village during the endless summer of 1976, *A New Ice Age* finds a similarly anonymous, similarly estranged writer holed up in a London lodging-house and getting little done while the surrounding terraces are demolished and a 1980s "distinct" is built. Nothing much happens to

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Kensal Press, Abbotsbrook, Bourne Ed, Bucks.

Living with an inner mystery

Elaine Feinstein

GABRIEL JOSIPOVICI
Contre-Jour: A triptych after Pierre Bonnard
133pp, Manchester: Carcanet, £8.95.
085635 641 7

There is a marvellous moment in Samuel Beckett's *Malone Dies* when the bedridden, curmudgeonly narrator, unable to cure himself of his habit of telling himself stories, finds that his fictions take on a human resonance, however absurd such a notion might be to him. At his best, Gabriel Josipovici has been similarly unfaithful to the ideology of French 1950s modernism. Altogether spikier than Nathalie Sarraute, funnier and livelier than Alain Robbe-Grillet, Josipovici is part of a longer European tradition. The attention he gives to the exact cadence of every conversational exchange readily betrays how sharply human need and pain concern him, even while he refuses to represent them in any traditional manner. The brilliant dialogue that opens *The Inventory* is a case in point; moreover, in that early novel the whole comic action that follows will hang on a lie of his central figure Joe: "There are just three subjects I prefer to avoid. The first is telephones. The second is my job. The third is human interest."

Contre-Jour is another case of an emotional response won from the reader by a piece of conjuring, though the lie on which this whole structure hangs is in some ways more perplexing. The relationship between Pierre Bonnard and his wife is presented as if through the eyes of a rejected daughter, a daughter for whom her mother has longed all her life, yet one who has been pushed outside the intimated daily rituals her parents have chosen. Through eczema, or guilt, or to soothe her unhappiness the wife spends the greater part of her day in the bath, and there her husband paints her. It is the most important shared activity of their lives. Unsurprisingly, the daughter writes of their intimacy as a rejection of her own human needs, but this sadness, so eloquently voiced, is itself a trick; we are led gradually to the core of the wife's own reflections on her marriage, and eventually discover that no such daughter existed. The girl writes of herself "as a ghost" because she is no more than a figment of the mother's imagination. The reader cannot but ponder the epigraph from Bonnard: "There is a formula that perfectly fits painting: lots of little lies for the sake of one big truth."

The central preoccupation of the book is the relation between those who make art, and those who become victims of that obsession. Even when the painting is as great as that of Bonnard, there is some moral question about

the artist's necessarily cruel attention to the surface of the model he observes, and the deep indifference he demonstrates simultaneously to the inner world, and even the words of the woman he is painting. The terrifying loneliness of living out forty-five years of marriage on such terms is examined through the only other eye that could have seen the couple closely and loved them. No friend could have served, even if Bonnard's wife had not colluded in her own isolation by protecting her husband from the outside world.

Josipovici is questioning the primacy of art even as he celebrates it. The atmosphere of the house is one in which ordinary life is impossible. The terrible passivity of the wife is unprotesting, for all her long fight for breath (of which Josipovici has written elsewhere). Her stifled spirit imagines the shape of another relationship in which she could have breathed; the fiction of the daughter allows her to envisage herself as irretrievably needed, to enjoy the fantasy of her husband's grief after her own death; and (perhaps most importantly) to believe that it is truly the absence of a child that has brought misfortune upon her. With a child the father "would not have turned in on himself, and taken it out on me". It seems likely that she is mistaken, for, in his own words, everything Bonnard sees becomes an inner mystery. "Look at the relation of this plate to that. Of your hand to the edge of the table." He could hardly have observed a child differently.

It is strange, when one thinks of Bonnard's marvellous colours, how aside from the greenish water of the bathroom there is so little colour allowed to enter the novel; the garden of almond trees, mimosa and canvas deck-chairs is subsumed under the scratch of a pencil, a drawing. And though there is light in the book, it is most often the light of naked overhead bulbs, in which faces are grey. The life recorded, Bonnard remarks, "starts out as horror and then gradually turns into habit. And truly he feels no guilt, since she knew exactly what he could and could not give her." It is the wife who has to wonder why it is so quiet in the house when her husband is out, and why she is so frightened by his absence. It is not exactly jealousy, though the only message he ever listened to was the one in which she put her fist through a painting he had begun of another woman. Bonnard and his wife have been together for so long that it is possible she is not deluding herself that he could not live without her; certainly she can remember no other lover. There is a tragic absurdity in our increasing awareness that, for all the evident cruelty of their life together, she wants no other man. Josipovici allows her deepest knowledge of that emotional bond, the most hurt and shocking utterance of the novel, to emerge almost casually towards its close.

A nightmare to live with

Peter Reading

STEPHEN GREGORY
The Cormorant
148pp, Heinemann, £9.50.
0434 30576 6

"The girl behind the bar, very attractive but terminally Welsh" is one of few personages in this, a novel meant to be funny-peculiar rather than funny ha-ha.

A Midlands schoolteacher couple and their baby son inherit a Snowdonian cottage; drop out, move in and become carpet-baggers. . . . It will become nightmare when the cormorant arrives. The bequeather, Uncle Ian, had rescued the bird; and by a condition of his will they must sustain the creature while they occupy the property.

Portentousness sets in early - "The cormorant was a Heathcliff, a Rasputin, a Dracula." It defecates on the furnishings and is relegated to an outdoor kitchen. The child is much possessed by it; it is satanic. Stephen Gregory effectively contrasts an over-cosy domesticity of "books and prints and brightly coloured rugs" with the malevolent intrusions of the "sea crow", Archie, whose indiscretions include killing the cat and pecking the neighbour.

At Christmas, father gets drunk, bashes the bird with a poker, urinates on it (it freezes stiff

in the night), goes for a walk with his family in the winter landscape ("cleansing by snow") and returns to cremate the corpse ("cleansing by fire"). In a spirited dénouement, the nipper is burned to death, the wife swoons. Then it is "Spring again, for the time being". Throughout, the grey, cigar-smoking, avuncular ghost of Ian gratuitously wafts.

The writing is uneven. There is a memorable evocation of a deserted slate-quarrying village, and a masterly account of drunkenness worthy of Amls pere or fils. But there are bits redolent of the worst excesses of the Writers' Surgery - "The air clenched its fists". "The sky went blue-black with a snap", a blizzard "wrapped its heavy white arms around the mountains and squeezed", the forests "whimpered under the pressure of the polar bear's hugging". "The sky was clear, aching with stars". And there are embarrassing conversational snippets - "Go on, you silly men. Just leave us to do all the hard work", "I hope you've left us some sherry. We don't slave away for nothing, you know". "Marvellous, marvellous, thank you so much, Ann, my love. What a lovely, special present!"

The blurb says "there have been few more potent or persuasive portrayals of evil in modern fiction". To those of us unable to acknowledge the phenomenon of evil, an evil cormorant (like, say, a good short-toed tree creeper) is a risible species.

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Attacks on the intolerant

Rosemary Ashton

GERTRUDE HIMMELFARB
Marriage and Morals Among the Victorians
and other essays
253pp. Faber. £15.95.
0571 139423

Burke is the hero of this volume, though none of its essays is devoted to him. In fact, most of the writers discussed – ranging from Godwin and Bentham to the modern scholar Michael Oakeshott by way of Macaulay, Disraeli, Beatrice and Sidney Webb, and Bloomsbury – are anti-heroes. Gertrude Himmelfarb's aim is to attack those who lay claim to our attention as thinkers yet who seem to her to lack "a large tolerance for complexity" and the kind of moral imagination which makes for the all-important sustaining of civilization. "Moral imagination" is a phrase borrowed from Burke's *Reflections on the Revolution in France* and tellingly juxtaposed with the poor sham "civilizations" celebrated by those who proposed as solutions to society's problems utility (Bentham), anarchic or repressive utopias (Godwin and Bentham respectively), compulsory socialism (the Webbs), or the selfish "brave new world" of a social, intellectual and sexual elite (the Bloomsbury group). As we shall see, only two subjects – Disraeli and Oakeshott – escape a good whipping.

Gertrude Himmelfarb's method of chastizing the misguided is as intelligent and interesting as her Burkean view of society itself. Generally she lets her subjects condemn themselves by quoting fully and judiciously from their works both public and private. In some cases – most notably Bentham's – nothing more is needed. Those who have not read Bentham but have a vague idea that he was an important thinker probably on the side of the angels cannot but be astonished by the absurdity and callousness of his argument, quoted here, in favour of improved pauper manage-

ment. We might be in the hilarious but nightmarish world of Alice when we read the great reformer's suggestion that paupers' children be taught "morality" in terms of two basic propositions:

1. That the condition they are doomed to is as good a one, i.e., as favourable to happiness, as any other.
2. That if it were not, no efforts which they could use by the display of collective force would have any tendency to improve it.

But nothing is left to chance. A non-alert reader might accept even this, and certainly many readers may be predisposed to admire, if not Bentham, then Godwin, the Webbs, or the self-glorifying Bloomsbury set. It is a matter of conscience for Himmelfarb to correct such predispositions, and she does so by various means. Each essay has a shape and a strategy. Most of them begin with the author ranging the opposition before us. Thus not only did Bentham think himself a wise philanthropist, but so also have thought "almost all" his biographers, commentators and editors. Fabianism "appears" to be "eminently modest and meliorist, pragmatic and pluralist, non-ideological and non-utopian, a gentle, decent, safe prescription for a better society". There is a duty to show those inclined to accept this "benign image" – and Himmelfarb takes them to be a majority, or at least a significant number – that there are in Fabianism elements both sinister (Beatrice Webb's approval of Stalinist Russia in 1932) and absurd (the examples here, though, relate almost exclusively to the Webbs' marriage). Having built up, sometimes over-ingeniously, the size and numbers of her antagonists, Himmelfarb then sets about deflating them.

The strategy is stimulating, witty, stylish, and sometimes convincing. Lytton Strachey and his fellow deriders of their Victorian ancestors are magnificently derided in their turn. What we might call the higher gossip is called in to help. Sober but trenchant summaries of the social and sexual permutations of the group

alternate with quotations of their sayings on the Victorians (dismissive), the First World War (also dismissive), personal friendship (ecstatic). As Keynes put it, "We do rather permeate and combine". To the objection that Himmelfarb shows us only the worst aspects of Bloomsbury one might answer in her defence that the worst is both dreadful and typical. Moreover, and this matters more than the relish with which she expresses her distaste for their distastefulness, she relates their attitudes shrewdly to the "precariousness" of a late Victorian morality which "tried to maintain itself without the sanctions and consolations of religion, but that was too impoverished... to transmit itself to the next generation". If one has a complaint, it is that this position is less argued than assumed, that Himmelfarb spends more time disproving than proving. It would have been interesting to see her pursue two lines of thought thrown out in a passing footnote. The note refers to the "mavericks" among the late Victorians, those who did not spend their time substituting education and practical morality for lost religious certainties. Such were Oscar Wilde, Max Beerbohm, Aubrey Beardsley, Arthur Symonds. "But they never had anything like the influence of Bloomsbury. And Bloomsbury itself felt no connection with them." Himmelfarb stimulates us here, as so often, to ask why.

The moral imagination which she so values appears only fleetingly in these fighting essays. She claims it for Disraeli, whom she shows at his endearing and puzzling best rather than at his less endearing and equally puzzling worst. Despite his posing and ambivalence, he is on the right side, as is evident from a diary entry of

1833 quoted here: "The Utilitarians in Politics are like the Unitarians in Religion. Both omit imagination in their systems, and imagination governs Mankind." And in the present century it is a figure like Michael Oakeshott – conservative political philosopher, English wit and upholder of fair play, whose idea of the function of government is that of acting as non-playing umpire administering agreed rules of the game – who emerges as the nearest thing to an intellectual hero in a work largely mock-heroic in attitude. His views are closely scrutinized, and they do not emerge entirely unscathed, chiefly because, though "properly distrustful of ideology", he has an improper tendency "to equate ideology with ideas, to be equally suspicious of both, to be impatient with the rigorous exercise of mind."

Oakeshott's is, one might say, a mind in the great British tradition of Hume, sceptical yet optimistic, conservative yet not rigid. What he lacks is a "Continental" respect for ideas, for taking the larger view. Gertrude Himmelfarb uses Nietzsche from time to time to point out this fact about British thought. It is, therefore, all the more surprising that she underestimates the element of German philosophical influence on Victorian thinking, holding, for example, that "the most serious challenge to religion" came "not from philosophy" – i.e., Hegel, Strauss and Feuerbach – "but from science, and from Darwinism especially". This makes her misrepresent Arnold's contribution. But then, as she herself says, it is not the liberal imagination but the conservative imagination that she is concerned to champion in these essays. She does so provocatively and (almost) persuasively.

From facts to feelings

J. M. Winter

DUDLEY BAINES
Migration In a Mature Economy: Emigration
and internal migration in England and Wales
1861-1900
354pp. Cambridge University Press. £30.
0521 30153X

This is a valuable and awkward book: valuable in presenting new estimates of migratory flows and using these to test hypotheses about the character and causes of migration in late-Victorian England and Wales; awkward, in that its interpretative findings are mainly negative, refuting or disturbing economic models of migratory behaviour in the past.

In one sense, Dudley Baines's most striking arguments are consistent with those of other recent studies, which are of necessity full of statistical evidence, but which lead away from purely quantitative arguments to an appreciation of what is not quantifiable – attitudes, beliefs, common knowledge – in population history. The most important of these influences on demographic behaviour is the flow of information. Baines shows that information about the kind of life and opportunities emigrants enjoyed abroad was plentiful in late nineteenth-century England. In part this was due to the decline in the cost of transport, which enabled perhaps 50 per cent of all English emigrants to return to their native land in this period. Their experience added to a stock of knowledge about life overseas and how to get there that grew substantially after the 1860s. English and Welsh emigrants were, therefore, mainly "chain" migrating townspeople, who drew from the common knowledge of their urban contemporaries. Only a minority (perhaps 30 per cent) were "stage" migrants, who were born in the countryside and moved successively from the land to the city, and then to destinations outside Europe.

Baines succeeds in casting considerable doubt on older interpretations of migration. Cold water is sprinkled liberally on those who have tried to separate "pull" from "push" factors; who have argued that internal and international migration are alternative rather than complementary phenomena; who have tried to relate out-migration to a non-existent late-Victorian agricultural depression; and who have insisted on the peculiarities of the Welsh in this context. On all these issues, Baines's

views are well documented and convincing, despite a dense style of argumentation, and we can be grateful to him for questioning the received truths of a generation of scholars who, like Brinley Thomas, have offered essentially economic explanations for migratory flows.

The strength of this kind of research is not its originality; Charlotte Erickson and others have been advancing similar views for years. It is rather that it provides an important new basis for shifting discussion of the "rationality" of decisions to migrate from the economic to the social sphere, from a consideration of strategies for the maximization of incomes to people's broader social aspirations.

The question arises, though, as to what explanatory framework remains after all the rubble has been cleared away. As in other areas of demographic history, accounts of population dynamics which escape from economic determinism all too often have little (other than new data) to put in its place. The painstaking construction of reliable estimates of migratory flows is no mean achievement, but it must surely be only a step on the way to a more satisfactory history of migration; data can never be – in and of themselves – an alternative to the available literature. High on the agenda of demographic history must be a closer integration of the econometric and the sociological in accounting for population movements in the past, and it is to be hoped that Dr Baines and others scholars will increasingly turn their attention to this pressing and difficult task.

A series on pamphlets on major themes in Irish History, Studies in Irish Economic and Social History (ISSN 0790 2913), is published by the Economic and Social History Society of Ireland, c/o Department of Modern History, Trinity College, Dublin 2, Eire. Each pamphlet costs £1.95, and contains a short synopsis of recent historical research on the theme concerned, and a critical bibliography. The series is intended to be of use to teachers and students of Irish History at school and university levels, as well as to those with a general interest in the subject. The first four titles in the series are: *Irish Emigration 1801-1921* by D. Fitzpatrick (51pp. 0 947897 00 3); *Landlords and Tenants in Ireland 1848-1904* by W. E. Vaughan (48pp. 0 947897 01 1); *Religion and Society in Nineteenth-Century Ireland* by Sean Connolly (69pp); *The Interwar Economy in Ireland* by David Johnson (50pp).

Acts of the Apostles

Peter Clarke

ANDREW SINCLAIR
The Red and the Blue: Intelligence, treason
and the Universities
175pp. Weidenfeld and Nicolson. £12.95.
0297 788663

The dedication of this book reads: "To Cambridge, right and wrong". A juxtaposition of King's College chapel (framed in blue) and a hammer and a sickle (in red) brings home the connotations of the title on the front of the dustjacket, while on the back an oldish photograph of a youngish Andrew Sinclair smirks inscrutably. "He was suggested as a member of the Apostles, but was not accepted", we are told: "it was thought he would not keep the society's oath of secrecy." Now, evidently, it can be told. Here is the inside dope from someone who "has lived through the historical events he analyses".

What do these amount to? It all begins in Cambridge, "where the world split in two in 1932 or thereabouts with the discovery of atomic fission", a mere century after the foundation of the Conversazione Society, later known as the Apostles. Within a few pages we are well away with the higher sodomy, and Bertrand Russell has already been deprived of his Fellowship at Trinity, albeit for proclivities of a

different kind – his supposed anti-war activities. Rupert Brooke has been laid to rest. Duff Cooper tells Lady Diana Manners, "Our generation becomes history instead of generating up." John Maynard Keynes writes *The Economic Consequences of the Peace*. "Vengeance", he predicts, "will not limp." The Apostles march on. G. E. Moore pops up to ask, "What exactly do you mean?" Virginia and Vanessa waft in from Gordon Square. More buggery. Wittgenstein inquires of Russell, "Do you think I am an obsolete idiot?" Lytton Strachey is asked, "What would you do if a German officer tried to rape your sister?"

If the story sometimes seems as full of quotations as *Hamlet*, the introduction of a reference to Alan Bennett serves as an appropriately clandestine tribute to the author of *Forty Years On*, which must be the real model for the work. Less adroit than the master in milking a cliché or turning nostalgia inside out, Sinclair none the less contrives his effects with a practised literary facility. He has delved into the published oeuvre on Bloomsbury and Cambridge and science and spies for many of his evocative snippets, and duly records his indebtedness at the end (though the notion that Andrew Boyle's gaff-blowing book was called *Charles of Treason* is rather too good to be true).

Intelligence is the theme of the book and the author is suitably wary in approaching it:

The confusion between intelligent people, the ac-

image of the Coterie, that set of whom only the women reached middle age.

The men who died were Raymond Asquith and his brother-in-law, Edward Horner, the Grenfell brothers, the Charteris brothers, Charles Lister and Patrick Shaw Stewart. They had spent much of their lives in single-sex institutions, like Eton and Balliol, and were used to writing letters about their masculine achievements and problems to women who admired, advised and consoled them. They had a pleasing knack of putting things mildly, telling their mothers, nannies and sweethearts the latest news of the masculine world before they came home for the vacations – or on leave. "I had rather a surfeit of the fair sex at the end of the holidays", admitted Julian Grenfell, quite glad to return to Balliol, to "roughness and a world of men". Army life seemed, at first, not dissimilar: their letters home took much the same tone, designed to excite the ladies but not to worry them. "I adore war", wrote Julian Grenfell to his mother – and she proudly published his letter in *The Times*.

When Julian died, his brother Billy (himself soon to die) wrote to Cynthia Asquith: "The barrier between two worlds is so gallantly and lightly crossed here by many, every day, that one hardly feels it as a separation...". Charles Lister expressed a more angry fatalism: "No peace will be of a very lasting character. We shall go on fighting, and finally sicken the working-classes of the whole performance...". Patrick Shaw Stewart wrote to the Grenfells' mother, expressing his "new despair and new rage at this iron nightmare in which we live...". Raymond Asquith wrote to his wife: "I hope people have stopped by now talking of the elevating and revivifying effect of the War...". The suggestion that it elevates the character is hideous... To be killed in action would gracefully set at rest many urgent and recurring anxieties. It has seemed to me of late that my only point was being a potential corpse... The letters home were becoming more candid.

It seems that many of these young men had persuaded themselves that they were willing to die; for there was no point in living. The women were left to lament the waste. Diana Cooper, wretchedly observing the procession of death as one friend fell after another, singled out Patrick Shaw Stewart, that eager go-getter, as the only one who retained an appetite for life. "Patrick would so hate to be dead", she said, "I have never felt this about the rest of the procession." Jeanne Mackenzie supports this view. She believes that these young men, living in an "apocalyptic age", saw themselves even before the War as men at the end of a tradition, a species soon to become extinct. "They had grown up", she says, "in a society that was half in love with death."

quisition of intelligence by fair or foul means, the organisation of an intelligence service, and the distillation of intelligence for political or economic use, is the quagmire where the intelligent sink and treason festers.

The story is partly the familiar one of how Guy Burgess and Donald Maclean, Kim Philby and Anthony Blunt were recruited as Soviet spies on the strength of their undergraduate communist enthusiasm. "More important to the Kremlin than its few agents among the Apostles", the author cautions us, "were the scientists who met in Trinity at the Kapitza Club, weekly and openly, to discuss with the Russian physicist Peter Kapitza the latest discoveries in their fields of research."

If Kapitza, with his thirteen years at the Cavendish Laboratory, epitomized the open conspiracy of science, broadcasting its findings in international journals, he also came to symbolize the closing of the frontiers in an era of ideological conflict. Detained in the Soviet Union after 1934, he trod a strait path between the claims of socialism, science, citizenship and Stalinism, in all of which he professed some degree of confidence. The real secrets in the emerging nuclear age were those which disinterested research had wrested from nature: knowledge once discovered which could not be undiscovered, nor the means of its rediscovery effectively concealed. Sinclair comments, "There was no need for moles among scientists in the age of Rutherford. They worked wherever they could."

It is at about this point that the book gets lost. Admittedly, E. M. Forster is at hand to declare that if it were a choice of betraying his country or betraying his friend, he hoped he would have the guts to betray his country. But nobody says "Only connect". Instead the kaleidoscope keeps turning. Peter Kapitza goes to Russia; Julian Bell and John Cornford go to Spain. None of them comes back to Cambridge; nor, it must be said, does the author.

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Edward Arnold

Survival through courage and decisiveness

Carl F. Petry

ROBERT IRWIN
The Middle East in the Middle Ages: The early Mamluk Sultanate 1250-1382
 180pp. Croom Helm. £19.95.
 0 7099 1308 7

Noting the obscurity of Richard Knolles's *General Historie of the Turkes*, Samuel Johnson dismissed the work as a commemoration of "enterprises and revolutions of which none wish to be informed". His remark sums up the attitude of many toward the history of Egypt and Syria under Mamluk rule. Notorious for their seemingly mindless violence and arrogant insensitivity to public welfare, the Mamluks have often been viewed as an oligarchy of brutal usurpers, their era as something of a dark age.

Robert Irwin is certainly aware of this impression. Indeed, his musings over the collective behaviour of the Mamluk slave soldiers are one of the more significant contributions this book has to make. But Irwin is quite right when he observes that such a negative image has dissuaded many scholars, both indigenous and Western, from devoting serious attention to the Mamluk Period (AD 1250-1517), which witnessed Egypt's apogee as a great power. Under Mamluk sponsorship, Egyptian and Syrian literati presided over a silver age of scholarship that engendered much of what we understand today to be medieval Islamic civilization. And in stark contrast to the apparent chaos of intra-Mamluk politics, the régime itself endured for more than two and a half centuries, safeguarding its realm from Mongol predators or European meddlers. Irwin concedes that, because the Mamluk military tradition was alien to the West, it does not readily lend itself to cogent analysis. His concern about this problem informs much of his narrative. This book is therefore more than an outline of politics; it attempts to make sense of the Mamluks' conduct by recapturing their own world view.

The work is not based on an original assessment of primary sources, but rests on a solid knowledge of printed chronicles in Arabic and secondary studies that have appeared over the past three decades (though some recent monographs have been omitted).

Irwin begins with the origins of military slavery in the Middle East, from the time when the reputation of Turkish nomads from Central Asia as cavalry warriors led to their being relied on for security by several Muslim dynasties during the High Middle Ages. He summarizes various explanations for this growing interdependence of rulers and slaves, without committing himself to any of them. He acknowledges "an unbridgeable gulf between the Muslim's ideal conception of the unitary Islamic state . . . and the political reality of deep-running provincial and ideological divisions", the lack of "any adequate ideological basis for political participation in a vast empire whose rule could no longer be vested in a narrow élite of Arabs", and the entrenchment of "alien rulers who used alien slave guards to distance and protect them from their subjects". But he remains sceptical as to the relevance of such generalizations to the implementation of military slavery in specific societies, observing that few such systems raised insurmountable barriers between overlords and subjects.

Irwin interprets the foundation of an autonomous Mamluk régime in Egypt as an *ad hoc* response to political crisis. Following the death of al-Salih Najm al-Din Ayyub in 1249, a coterie of his officers (amirs) competed to succeed him without supplanting the aura of his dynastic legitimacy. Indeed, his former concubine conspired to claim the Sultanate jointly with one of these officers. None of these individuals foresaw their machinations as the harbinger of fundamental institutional change, but all wished to be regarded as more than successful plotters in a junta. A decade therefore intervened between the death of al-Salih and the enthronement of al-Zahir Baybars, the true architect of the Mamluk state. Baybars revived the Ayyubid tradition of holy war against the Crusaders, secured Syria from the dreaded Mongol threat, transferred the Abbasid Caliphate to Cairo as a means of sanctifying his office, and reorganized the army by prom-

oting unfree troopers to positions of the highest rank. Although these tactics reflected a pragmatic reaction to immediate circumstance rather than any grand design, they decisively shaped the nature of Mamluk government.

Irwin claims that, following Baybars's death, the Mamluk régime neither progressed nor regressed. Many powerful amirs tampered with the framework they inherited from their great predecessor, but all were stamped in the same mould. Several sought to broaden their bases of popular support, but none managed to do so. To the end of the Bahri era, the Mamluks remained a self-contained military order.

Irwin is intrigued by this phenomenon. His discussion of Baybars's prominent successor, Qalawun (1279-90), and the latter's descendants who, while pawns of powerful amirs for the most part, monopolized the Sultanate to 1382, confronts us with a bewildering array of actors. Of them only Qalawun's second son, al-Nasir Muhammad (d 1341), can be adjudged an autocrat who enforced his own policies and altered the course of Egyptian history. And even al-Nasir was deposed twice before he could secure his own position.

Irwin intersperses his narrative with some

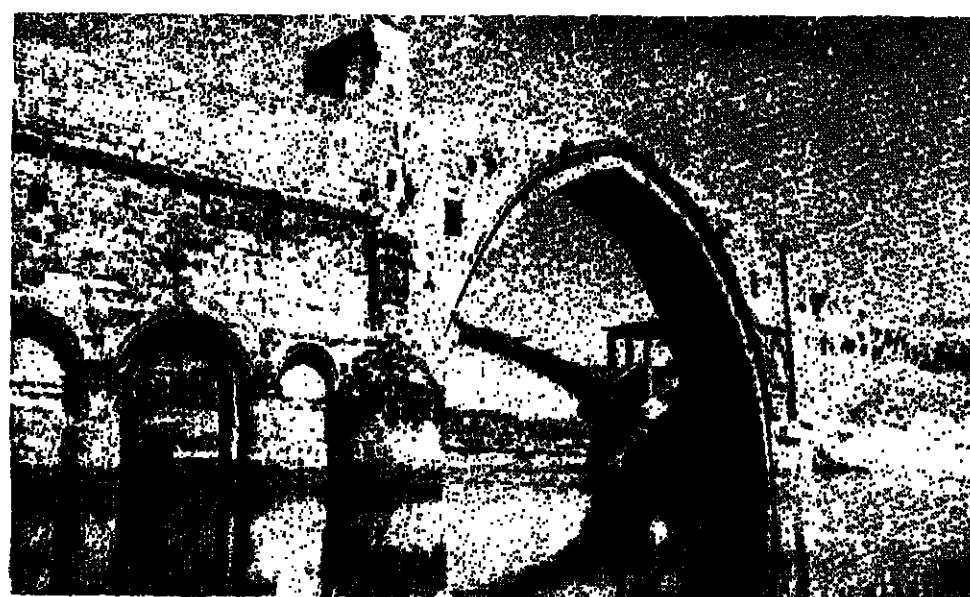
perceptive analytical commentary. He attempts, for example, to depict the Mamluks' sense of personal identity and their peculiar concept of group loyalty. He dwells on the term *khushdashiya* (Turko-Persian for "camaraderie") which was inculcated during training exercises. Transplanted from their Central Asian homeland to an intimidating urban environment like Cairo, these adolescents severed their bonds of lineage and tribal affiliation, replacing them with a fidelity acquired through intimate association with their peers, who had been purchased at the same time. But Irwin rightly cautions against interpreting this kind of camaraderie as an alternative type of "tribe". These soldiers also competed fiercely for wealth, power and fame. Their values placed individual ambition above group solidarity, and no officer who reached the top ever allowed loyalty to his *khushdash* colleagues to interfere with his coalition-building among their potential enemies.

Irwin also deals with the phenomenon of endemic violence. No aspect of Mamluk character has dismayed Western historians more than the record of savagery which emerges so vividly from the pages of contemporary chron-

icles. Irwin redefines "violence" as a manifestation of fundamental Mamluk values: courage (*shuja'*) and decisiveness (*hazm*), and interprets factional rivalries as vital components of a "zero-sum game" in which the winner takes all and the loser suffers near-total defeat and humiliation. Few intermediate options were open to those who played for such high stakes, and biographies of Mamluk officers rarely dwell on orderly successions or peaceful retirements after tumultuous careers. Their rivalries produced innumerable coups but no genuine revolutions, yet the extraordinary durability of the system cannot be explained simply by an ideological vacuum. Any individual who emerged victorious from such contests received acute training in the art of survival. A sultan had to strike a fine balance between restraining the influence of his supporters—to reduce their latent threat to his position—and simultaneously broadening it sufficiently for them to be able to profit personally by endorsing him.

Irwin's observations are embedded within dense descriptive style and I doubt whether readers unacquainted with the broad outline of Muslim history will penetrate easily into his maze of Mamluk "enterprises and revolutions". He has made little attempt to explain nomenclatures, and anyone unfamiliar with Arabic or Turkish—or unaware of how title were awarded for that matter—will probably have difficulty keeping them distinct. Nor has Irwin done justice to the pervasive influence the Mamluks' embroilments on their civilian clients, and in particular on scholars of law and religion (*'ulama'*). While these subordinates shared in the bounty of their patrons, they also perforce shared in their insecurity. The tensions that evolved as a functional dynamic of Mamluk rivalry served to complicate the lives of civilians for whom they were anything but functional. Finally, Irwin only alludes to alternative civilian means of coping with Mamluk domination, such as covert opposition from mystic (Sufi) orders to the grosser forms of militarist oppression.

But the author has committed himself to a chronological survey, and one cannot elucidate everything in less than two hundred pages. We now have an informative, occasionally illuminating, account of the early Mamluk Sultanate.



An Abbasid bridge over the Batman Su, Turkey. It is reproduced from *Traveller through Time: A photographic journey with Freya Stark by Malte Ruhlven* (144p. Viking. £14.95. 0 670 80183 6).

A monastery on the move

H. E. J. Cowdrey

JONATHAN RILEY-SMITH
The First Crusade and the Idea of Crusading
 227pp. Athlone Press. £20.
 0 485 11291 4

In 1935 Carl Erdmann published his epoch-making study of the origin of the Crusading movement, and the appearance in 1977 of an admirable American translation at last made it generally accessible to the English-speaking public. Despite the criticism that it has received, not least from English scholars, Erdmann's masterpiece continues to dominate the study of its subject. But, as Jonathan Riley-Smith points out, Erdmann was concerned with Crusading origins rather than with the First Crusade itself, while recent major contributions to the study of the Crusading idea, like E.-D. Hehl's, have concentrated upon the twelfth-century sequel. The First Crusade and its Latin historians have commanded surprisingly little attention.

In this book, therefore, Professor Riley-Smith looks afresh at the evidence for the First Crusade. He is disposed to regard Pope Urban II's summons to it as fairly conventional, in the sense of being similar to ideas of contemporary Church reformers. But Urban's decisive holding up of Jerusalem as a goal of the Crusade, his direct appeal to his French compatriots, and his acute sense of how contemporary lay feeling was developing, elicited a positive response of hitherto unexampled force. In their letters and in chronicles like the anonymous *Gesta Francorum*, eyewitnesses of the Crusade's hardships and then of their euphoria when Jerusalem was captured testify to the transformation of Urban's message into an associa-

tion of ideas that was still crude and semi-popular. It remained for a group of monastic historians in France who had not been participants—notably Robert the Monk, Guibert of Nogent and Baldric of Bourgueil—to present the Crusade with greater theological sophistication. They set forth its providential character as embodying the *Gesta Dei per Francos*, and they treated the Crusaders as temporary religious, professed into a kind of military monastery on the move. Such a depiction accorded with the ideals of the eleventh-century reformers, whose chief aim had been to infuse secular life with monastic values.

Riley-Smith marshals his case lucidly, and his frequent citation of sources is valuable. He provides just the introduction to the First Crusade that will appeal to the many sixth-formers and undergraduates who ponder its texts. His thesis demands the attention of mature historians, both for the acuteness of its judgments and for the questions that it stimulates. They will ask for more—for the full-dress history of the First Crusade that Riley-Smith is so well qualified to write. His later chapters are particularly arresting. His most welcome discussion of the catastrophic Crusade of 1101, most of whose participants perished during the transit across Asia Minor, leads to the conclusion, not that their fate was a deterrent to future would-be Crusaders, but that the disaster served only to enhance the achievements of the First Crusade. The Latin historians posited the worthless successors of the Crusaders of 1097-9 as highlighting by their own destruction how God had given victory to their forerunners in whom discipline and charity had ultimately prevailed.

Some criticisms come to mind. Urban's alleged ruling at Clermont that restored Eastern bishops should be made subject to the princes who conquered their localities need not

imply an intention to introduce Latin rather than Greek bishops; such an intention would be hard to reconcile with Urban's normally serene attitude towards the Eastern Churches. More generally, Riley-Smith's preoccupation with the French whom Urban summoned to the First Crusade perhaps leads him, like Erdmann, to say too little about its Italian background. For example, the Pisan and Genoese expedition of 1087 to Mahdia, in North Africa, which the future pope may have witnessed when its participants came to Rome as pilgrims, anticipated some features of the Crusade. The song which extolled its victory depicted it as a holy warfare of Christ, waged against the Muslims. Urban can scarcely not have thought about the expedition or have failed to be encouraged by it. It might be suggested, too, that the devotional arrangements of the Anglo-Flemish contingent that captured Lisbon during the Second Crusade were not so much monastic as parochial. When it came to everyday arrangements, Guibert of Nogent's "new way of gaining salvation", too, probably owed more to confraternities and to communities than to the monastic round.

But this is not to deny the main thesis of Riley-Smith's extremely useful and stimulating book, which no student of Crusading history can afford to neglect.

Crusade and Settlement, edited by Peter W. Edbury, reprints thirty-one of the papers delivered at the First Conference of the Society for the Study of the Crusades and the Latin East, held at University College, Cardiff, in September 1983; the volume is presented to the late Professor R. C. Smail (281pp. University College Cardiff Press. £19.50. 0 90668 78 2).

Letters

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paraphrase of Brigadier Scott's exchange with General Keightley. Keightley was aware of the Allied ruling that enemy units should surrender on the front on which they had been engaged, and that the Yalta Agreement provided for the return of Soviet citizens. At the same time he objected to the idea of handing back the Cossacks *once they had surrendered*, and adopted practical measures to protect them. Perhaps Knight could tell us whether he accepts these facts or not.

In his review Knight claimed that "the tsarist émigrés had not been explicitly excluded in [Macmillan's] instructions, as Tolstoy suggests". In a forthcoming paper on the subject (to be published in the journal *Intelligence and National Security*), he is more specific. Rejecting my contention that Macmillan arrived in Klagenfurt fully apprised (as a result of discussions centring around the Yalta Agreement) of the crucial distinction between Soviet and non-Soviet citizens, he states roundly that "the question of the émigrés had not arisen in these discussions. The Foreign Office definition of Soviet citizens which Macmillan had received (on his request) in February excluded the Whites only by implication."

In my reply I quoted a document of July 27, 1944, which showed that Macmillan was at that time fully *au fait* with the distinction, regarding it as an important issue which should if possible be settled at Yalta. One might in the light of this evidence expect Knight to reconsider his rigid view that Macmillan was ignorant of the matter when he arrived at Klagenfurt on May 13, 1945. His reaction is revealing of his general approach to awkward evidence. What he now writes is this: "I did not seek to demonstrate Macmillan's 'naivety' or his ignorance of the distinction between Soviet and non-Soviet citizens but merely to make the point that 'previous Foreign Office instructions on the implementation of the Yalta Agreement' had not explicitly excluded the tsarist émigrés among the Cossacks."

Well, now. On May 12, the date Macmillan set out from Naples on his fatal mission, no one at AFHQ—let alone Whitehall—had any means of knowing that the Cossacks had surrendered to British forces, nor that Macmillan would alter his plans at the last moment in order to fly on to Austria to discuss the matter with Keightley. On what grounds, then, could the Foreign Office have issued the explicit exclusion whose omission Knight finds so significant? Keightley's Chief of Staff saw to it that no word of the Soviet request of May 11 for the old émigrés reached 8th Army, and Macmillan suppressed all relevant reference to the matter in his subsequent reports to the Foreign Office—a not insignificant aspect of the story, to which Knight has so far avoided allusion.

Next, Knight asserts that British soldiers' objections to the hand-overs were not con-

cerned with the legal question of citizenship, but with general principles of humanity, noting that: "It is significant that the inclusion of the German officers in the hand-over—surely the most blatant overfulfilment of Yalta—did not give rise to any specific protest and was referred to quite openly in written directives."

The first of these claims is broadly correct, as one would expect. Soldiers in the field were not deeply concerned with niceties of citizenship, particularly in view of the fact that they were deliberately kept in ignorance of their significance. Nevertheless, when they *did* become aware of the fact that old émigrés were among their charges they took strong exception on several recorded occasions. Major Davies in Pezgetz camp took it upon himself to release many such people bearing foreign passports, even though he believed himself to be disobeying orders. Knight also appears to have overlooked the striking incident recounted at length on pages 240-8 and 260-2 of my *Victims of Yalta*. There I document the discovery by Colonel Howard and Rose Price of the presence of White Russians among Cossacks due for return. The two battalion commanders at once raised such strong objection that Keightley was obliged to implement screening on the spot.

As for the German officers, Knight again resorts to the device of simply ignoring inconvenient evidence. As soon as General Murray, commanding 6th Armoured Division, learnt that the return of the Cossacks was likely, he summoned their senior German officers and gave them a clear warning of what was pending. As a result virtually all who chose to do so escaped. Brigadier Usher and Colonel Hills personally warned Colonel Wagner.

The remainder of Knight's points display an equally cavalier disregard for the evidence. As most of it is to be found in my two books, I will not weary your readers with repetition. One example must suffice for the rest. Knight's theory (never quite explicit, I concede) appears to be that it was on the initiative of 5th Corps command that all the flagrant illegalities, disobedience and evasion of instructions, deception of higher command, and brutal inhumanity of the forced hand-overs occurred.

An awkward obstacle to this hypothesis is the fact that this policy (as opposed to that of fulfilling Alexander's preference for peaceful evacuation of Cossacks and Yugoslavs to safety in Germany and Italy) inevitably involved severe risk to British soldiers, who had no means of knowing in advance to what extent the Cossacks had retained their arms, nor whether they would resort to armed resistance. Knight dismisses this consideration as unworthy of notice, since "Mussolini's reference to an 'operation of war' was clearly aimed at overcoming the distaste for the operation felt by many of his men. It is hardly convincing evidence that it 'put British soldiers' lives seriously at risk'."

Whose history is it, anyway?

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plained to the committee about the withholding of SOE-related Foreign Office papers of which he had personal knowledge. He referred in particular to documents concerning General Mihailovic (the Yugoslav partisan leader who was later accused of collaboration with the Axis). Deakin stated: "Any evidence on the case against Mihailovic which was contrary to the official Foreign Office view at the time (and, indeed, of certain officials in the War Office and the Security Services)—namely, that the proved collaboration of certain Mihailovic commanders did not involve the personal collaboration of Mihailovic himself—is missing from the files."

It has recently been reported that Mrs Thatcher has dropped her earlier ban on the publication of two official histories of wartime intelligence services by Anthony Simkins and Sir Michael Howard. It is not clear, however, whether the publication of these works will permit the disclosure of other official histories, such as the work on SOE prepared immediately after the war by W. J. M. Mackenzie, but still withheld from public access. Recently some intelligence-related material has begun to percolate through to the Public Record Office, and the former ban on the release of any docu-

ment which so much as mentioned MIS has been relaxed. But the position in Britain still contrasts strikingly with that in the United States, where I recently examined the personal name index of US Military Intelligence files (freely available at the National Archives) as well as the 800,000-index-card filing system of the Office of Strategic Services (roughly speaking, the American equivalent of SOE) which is also now open to the public.

The fourth and final area on which the Wilson evidence sheds some light is that of "prison evidence access". This is the procedure whereby government departments may permit "bona fide" researchers access to certain files otherwise closed to the public. From the Wilson evidence it emerges that there are significant variations in departmental practice on this issue. The Home Office has in recent years been quite forthcoming in allowing such access (as I can thankfully testify from personal experience). On the other hand, the Foreign Office almost invariably refuses such applications. Indeed, the Foreign Office representatives told the Wilson Committee that "they were unhappy about the Home Office practice which they thought indicated a lax attitude to reviewing". (When this committee was duly recorded in the minutes, the Foreign

Brigadier Musson, like almost all other soldiers involved, regarded the coming operation with distaste. But the import of his order of May 26 is clear:

Be firm. Remember that quick and determined action taken immediately may save many incidents and lives in the future.
 If it is necessary to fire you will do so and you must regard this duty as an operation of war.

If you see any member of the surrendered persons attempt to use a weapon or attack you or any British officer or man, you will open fire immediately.
 I have published the following orders for all ranks of the Brigade Gp:

(a) Personal arms will be carried by all ranks at all times;
 (b) Officers will have an escort;
 (c) No one will go about alone.

Knight concludes by describing as "scurrilous innuendo" my reference to his participation, at the invitation of the Yugoslav Communist authorities, in a seminar devoted to the discussion of "the concentration of the counter-revolutionary quisling formation in Carinthia and Venezia Giulia and on the attitudes of the British Military Government towards them". I would have thought this otherwise unknown fact of legitimate interest and relevance, in view of Knight's marked hostility to the Cossacks and Slovenian refugees. Devotees of scurrilous innuendo might in any case care to glance at my paragraphs 2 and 3 above.

M. C. Wheeler raises the same point (Letters, July 11), explaining that he also attended this purely academic occasion, "along with six other representatives of the the British National Committee for the History of the Second World War". As Nora Beloff can testify, this is a Committee of some exclusivity. One wonders, for example, whether any of the papers presented contained views uncongenial to the Yugoslav régime or Communist Party, or whether the conference organizers would have permitted me to be present to defend myself against Knight's criticisms.

Dr Wheeler assures us that he too "presented a paper on the day" Knight delivered his attack on me. I have a copy of Wheeler's paper before me, none of whose contents is likely to have embarrassed his generous hosts. Politeness itself, he disclaims even cited views injurious to the Partisan cause.

It is however not necessary to analyse the contents to detect Wheeler's general drift. The title of his paper is "White Eagles and White Guards: British perceptions of anti-communist insurgency in Yugoslavia in 1945". "Insurgency" might appear an odd expression in the context of the communist conquest of territories not previously held by them; and as I am sure a scholar of Dr Wheeler's expertise knows well, "White Guards" is a purely pejorative term in the Yugoslav Communist political vocabulary.

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